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VOLUME LXIII, NUMBER 19390

MONDAY, SEPTEMBER 30, 1996 • TISHREI 17, 5757 • 18 JAMAD 1, 5757

ISSN: 4250 (Eilat NIS 3.80)

INSIDE EIGHT PAGES FROM SUNDAY'S

The New York Times

WEEKLY REVIEW

PM, Arafat agree to Washington summit

PRIME Minister Binyamin Netanyahu and Palestinian Authority Chairman Yasser Arafat will meet in Washington tomorrow, at President Bill Clinton's invitation, in a bid to defuse Israeli-Palestinian tensions and resume negotiations, Clinton announced yesterday.

They are to be joined by Jordan's King Hussein. Egyptian President Hosni Mubarak has been invited, but has not yet responded.

A senior US official said the meetings will run tomorrow and Wednesday. The first day will consist of separate bilateral meetings between the leaders and Clinton and Secretary of State Warren Christopher, with expanded plenary meetings scheduled for Wednesday.

The official said that the US will urge Netanyahu to put redeployment from Hebron "on the fast track" move negotiations ahead.

"The sights are on Hebron as the key first step. These discussions will be focused on an implementing mechanism," he said.

Christopher cautioned that because neither Netanyahu nor Arafat could afford to be away from home for a long visit, "we shouldn't expect miracles out of this rather brief meeting here."

"They're estranged. They're pretty raw, and so I think the important thing is to get them back into direct contact, discussing these issues," he said on NBC's *Meet the Press*.

Arafat and Netanyahu initially refused to make any concessions to bring about the summit, but Channel 2 said last night a trade-off was shaping up.

Arafat would pledge to end the violence and stop objecting to the tunnel, while Netanyahu would agree to a timetable for future negotiations and a date for Israel's pullout from Hebron, the report said.

Cabinet secretary Danny Naveh, however, said that no prior understandings were reached.

Clinton spoke by telephone yesterday afternoon with Arafat, Netanyahu, Mubarak, and Hussein. White House spokesman Mike McCurry said Clinton

HILLEL KUTTLER and news agencies

particularly wanted to thank Netanyahu and Arafat for accepting his invitation and to "encourage them to come to Washington in a frame of mind that allows progress to be made."

The Palestinians were hoping that Mubarak would attend.

"Egypt's role is important, and we don't like to think of being there without President Mubarak," Nabil Shaath, the Palestinian minister of planning, said on CBS television. Arafat is trying to convince Mubarak to attend, PLO officials said, since he wants Egypt as a counterweight to the US.

Mubarak tentatively sent word of a scheduling conflict. But Egyptian Foreign Minister Amr Moussa, said on CBS that a Mubarak no-show could be blamed on Israeli behavior in recent weeks.

Mubarak is annoyed that the situation in Israel "reached that level of insensitivity to the Arab people and the Arab feelings,"

Moussa said. "President Mubarak is definitely upset at the negative developments that have occurred and that the peace process, as it is, is really teetering. It is not in good shape at all."

Last night, King Hussein and President Ezer Weizman spoke with Mubarak in attempts to convince him to attend. Mubarak said that he would give his answer this morning, Israel Radio reported.

During Clinton's conversation with Netanyahu, he said he hoped an Arab-Israeli summit in Washington would halt violence and advance peace, Netanyahu's spokesman said.

"During the 20-minute conversation, the prime minister thanked the president for his invitation to the Washington summit and expressed his appreciation for the president's attempts to help move the peace process forward," he said.

"The president said the results required of the summit in Washington are a stop to the violence and the early resumption of negotiations on outstanding issues," the

spokesman said.

Netanyahu, he added, agreed with Clinton's comments and said that for Israel the aim of the summit would be to ensure the region calms down and peace talks between Israel and the Palestinians are renewed.

Interviewed on CNN, Netanyahu affirmed he would not close the new exit to the Hasmonean Tunnel and stated that such a move would not be considered as a gesture in the talks.

He also said that while he remains committed to a Hebron redeployment, last week's events demonstrate the need to first modify security agreements there.

In announcing the summit, Clinton acknowledged he was calling it because previous US efforts had produced "not enough" progress toward calming the situation. He said he was prepared "to do everything in my power" to help end the violence and restart talks.

"Therefore, after consulting with Secretary Christopher, who has literally

(Continued on Page 9)

still recovering

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Visitors to the Hasmonean Tunnel in Jerusalem yesterday leave through the new exit on the Via Dolorosa, as a policeman looks on. Stories, Page 3. (Brian Hender)

Netanyahu willing to 'accelerate' talks

DAVID MAKOVSKY

IMMEDIATELY after President Bill Clinton's invitation to the White House summit, Prime Minister Binyamin Netanyahu said for the first time that Israel was willing to "accelerate" the pace of the peace talks.

Some officials in the Prime Minister's Office have conveyed to the US that they are not opposed to holding round-the-clock talks until an agreement on implementing the Oslo 2 accord is reached, but deny that Israel has formally consented to any such arrangement.

Netanyahu's foreign policy adviser Dore Gold met with top Palestinian negotiator Mahmoud Abbas last night to prepare for the two-day summit, which begins tomorrow.

Palestinian Authority Chairman Yasser Arafat agreed to go to Washington because he believes that Clinton's involvement will

not be a one-time affair, but that the US will be involved in talks on implementing the accord, diplomatic sources said yesterday.

"Arafat believes without a US role, he will be at a disadvantage in talks with Netanyahu beyond the summit, and therefore he answered Clinton's call," one official said.

Diplomatic sources said Arafat originally wanted to link his attendance to Netanyahu setting deadlines or target dates for implementation of Oslo 2 issues, such as Hebron, release of women prisoners, safe passage between the West Bank and Gaza, and further IDF redeployment in the territories. In the end, however, he accepted Clinton's invitation without this.

Egyptian President Hosni Mubarak's reluctance to attend derives precisely from the fact that there are no pre-arranged agree-

(Continued on Page 2)

Joint patrols halted in West Bank

ARIEH O'SULLIVAN

ALL joint patrols in the West Bank have been put on hold, as the army is deploying more tanks around Palestinian-controlled areas, and is steadily increasing the pressure on the Palestinians to stabilize the situation.

The Palestinian Police appear to have gotten the message, but senior IDF officers say the situation could still erupt at any time.

Yesterday was markedly more quiet, with beefed-up Palestinian Police quickly stepping in to quell any sparks of unrest.

Two IDF soldiers were lightly wounded in stone-throwing incidents along the Israel-Egypt-Gaza border. The demonstrators also hurled fire bombs at the IDF position, but no damage was caused, the army said. It said Palestinian policemen quickly dispersed the rioters.

But reports from Egypt said a soldier was killed in the crossfire. His

death brought to three the number of Egyptians killed in the violence.

The IDF Spokesman, meanwhile, flatly denied an AP report from Cairo that six Israeli soldiers had fled Saturday into the Egyptian-controlled part of Rafah to escape Palestinian gunfire. The report said the Israelis would be returned when the security situation stabilized.

In the Gaza Strip, joint Israeli-Palestinian patrols have resumed, but those in the West Bank have not. Senior IDF officers said there has been a total breakdown of confidence in the Palestinian Police, who in some cases reportedly turned their guns on Israeli soldiers with whom they had patrolled only the day before.

The two Border Police officers who were killed near Tulkarm on Friday were members of the joint patrols.

(Continued on Page 2)

No Shas option for Labor

SARAH HONIG

LABOR'S residual hopes of regaining power were dashed when it became evident yesterday that Shas would not vote no-confidence in the government or join in any initiative to force a national unity government on Prime Minister Binyamin Netanyahu.

Labor leader Shimon Peres was informed of Shas's position when he visited the succa of Shas mentor Rabbi Ovadia Yosef yesterday morning.

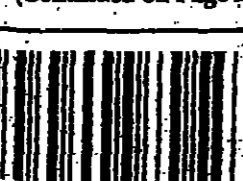
Last night, Yosef hosted Netanyahu, as Labor's Ehud Barak waited his turn to be received.

Yosef, sources said, asked Netanyahu his opinion on national unity, and the prime minister said that at this juncture he sees no reason for it. Yosef did not press the point.

While Shas has again touted itself as a possible balance which could decide the fate of the government, its leaders admitted that, as things stand now, the party has no cause for complaint and no incentive to upset the coalition.

"Things may change only if the security situation becomes totally unbearable. But at present there is no pressure from Shas voters to change anything. In fact, our voters probably support the opening of the Hasmonean Tunnel exit, even if the party leadership had reservations about the timing," MK Shlomo Benizri said.

Yosef's Labor visitors reported that he told them that he deplores



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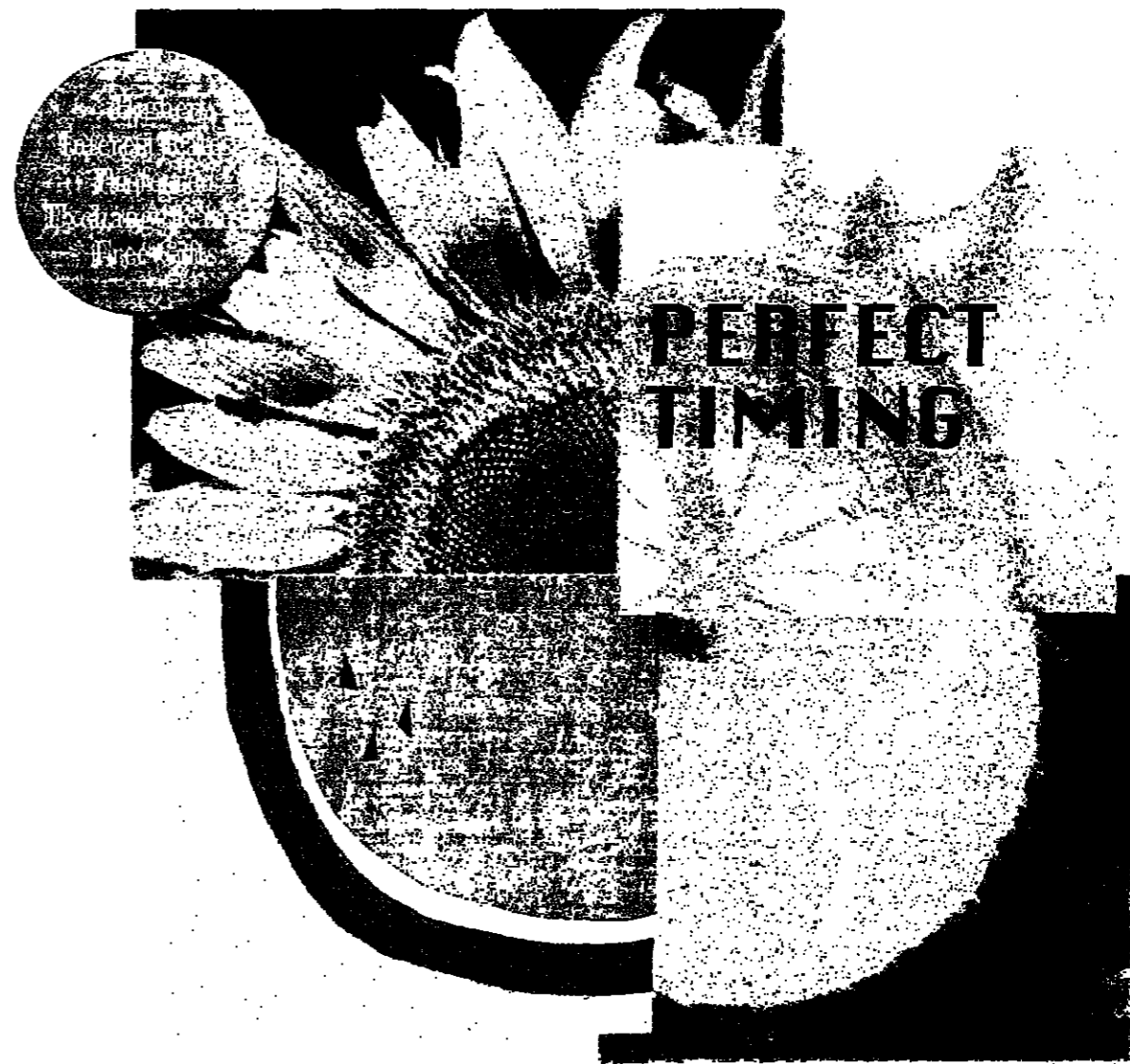
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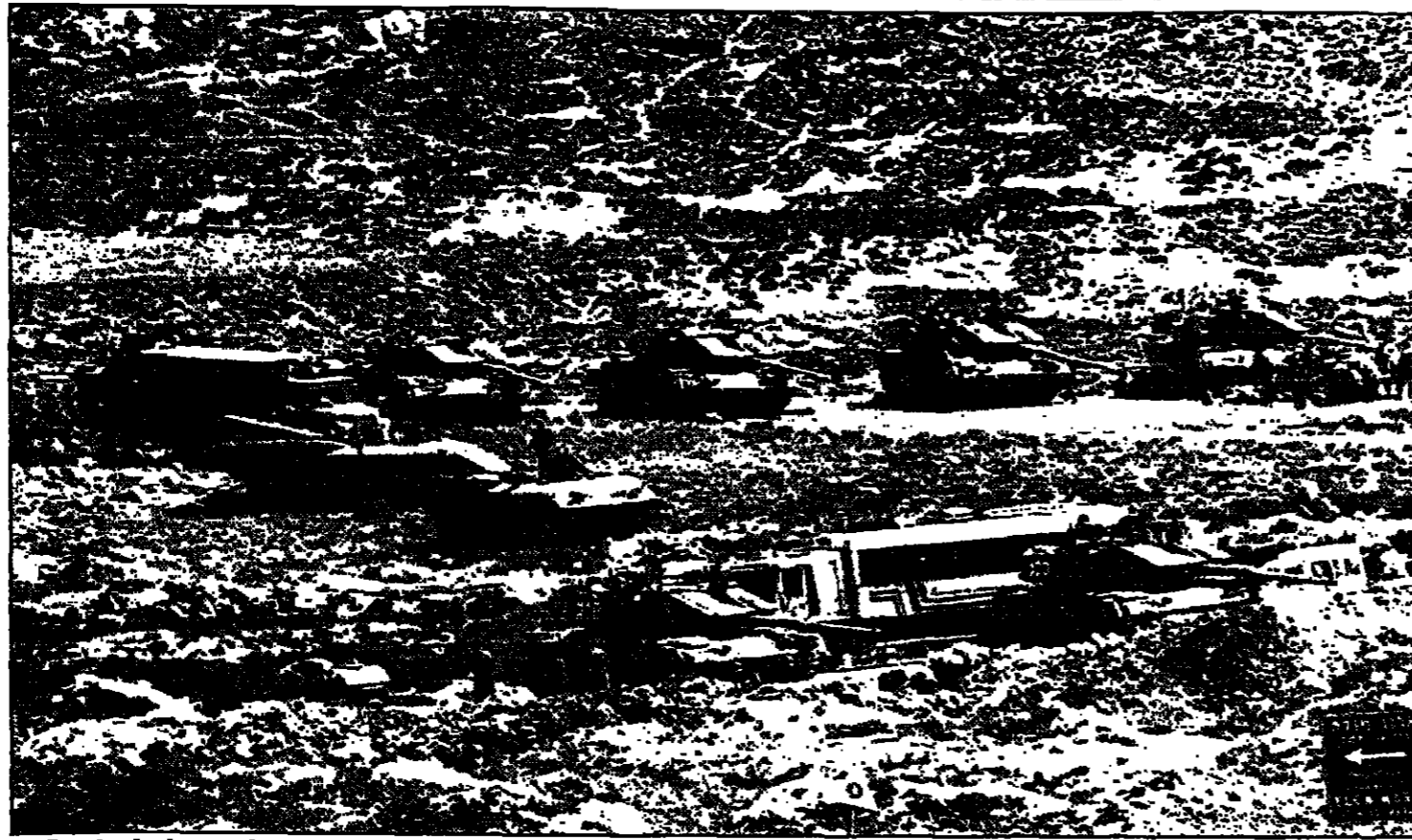
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Hundreds tour Hasmonean Tunnel



IDF tanks deploy on the outskirts of Nablus yesterday.

(Khaled Zuhairi)

AS politicians on both sides continued to argue the pros and cons of opening the exit to the Hasmonean Tunnel, hundreds of visitors yesterday took the opportunity to touch the Herodian stones, gaze into the depths of the Hasmonean watercourse, and pray at the point thought nearest the Holy of Holies.

According to Oded Wiener, director of the Religious Affairs Ministry's Holy Sites Division, between 500 and 600 people were to have gone through the tunnel by the end of the day, with similar numbers expected throughout the week. Although the site was in theory open to the public, the visitors were all members of groups which had reserved places soon after it had been announced that it had been opened.

Most of the visitors were knitted *kippot*, while a small number wore the distinctive *hassidic shtrimeles*. Wiener himself conducted a party of journalists, stressing that the tunnel had not in any way undermined the foundations of the Aksha Mosque or any other structure on the Temple Mount.

"We are not undermining the Temple Mount," he stressed in front of a flurry of television cam-

HAIM SHAPIRO

eras. Wiener did show the one point at which Israeli workers had entered a tunnel leading into the Temple Mount. It was sealed with a mass of concrete and stones, which he said was a meter thick. He also rejected a journalist's suggestion that Israelis would try to find the implements of the Temple, which according to the Talmud had been hidden on the Temple Mount before the destruction of the Second Temple.

"When the messiah comes, we will find them. We have no interest in finding them now," he said. Wiener also pointed out a small arched spot in the wall which oozed with water. It was, he said, the place opposite the Holy of Holies. The spot was filled with soggy bits of paper upon which supplications had been written. As they passed the site, one group of visitors stopped and recited a psalm.

At the end of the Herodian stones marking the continuation of the Western Wall, the visitors suddenly found themselves walking along a curved passage, cut into the rock, the Hasmonean Tunnel,

made more dramatic by the fact that they were walking on a glass floor, with the illuminated bottom of the tunnel underneath them. Above the tunnel were Roman paving stones, laid after the destruction of the Temple.

This section, Wiener said, had been excavated over a year ago, but could not be opened to the public until an exit had been opened. At the end of the tunnel was the cistern, shared by the convent of the Sisters of Zion, on the other side of the Via Dolorosa.

A small opening in the wall was the only evidence of a previous attempt to find an exit, into a side street. For the present exit, visitors backtrack slightly to the east, under the stairs of the Omariya School. Yesterday, the school was closed, and border policemen lounged on the steps. Additional police and Border Police patrolled the street, although aside from the exit itself, they were not very visible.

Among the visitors exiting was MK Zvi Hendel (National Religious Party) and his family.

"You can see the truth with your own eyes, the history of the Jewish people which they are trying to suppress," Hendel said.

Yeshiva head calls for enlarging Israeli area around Joseph's Tomb

HERB KEINON

SETTLEMENT leaders yesterday called on the government to expand the area around Joseph's Tomb that is under Israeli control, and to fundamentally change security at the site. Six IDF soldiers were killed on Thursday defending the tomb.

"The fighting proved that the notion that the soldiers will guard the tomb, and that Palestinian soldiers will keep the Palestinian masses away from the IDF, is dead," said Eli Rosenfeld, director of the Od Yosef Hai Yeshiva in the compound.

"This situation is insufferable," Rosenfeld said. "The IDF has to organize in such a way that it does not have to depend on the Palestinians to guard them. The IDF has to provide military protection for the cave without depending on the Palestinians."

To do this, he said, the area under Israeli control at the tomb has to be enlarged.

Rosenfeld also called on the government to insist, as it resolved at its cabinet meeting on Friday, that the entire compound - including the IDF outpost which was taken over by

Palestinian forces on Thursday - be returned to exclusive IDF control.

Settlement officials, quoting IDF officers in the area, say there are currently between 20 and 40 soldiers in the compound, with forces belonging to Palestinian Preventive Security chief Col. Jibril Rajoub in the IDF outpost just outside the yeshiva. When the rioting began in Judea and Samaria on Wednesday, said Samaria regional Council head Aryeh Ofri, there were seven soldiers in the compound, a number that was upped to 12 on Thursday because of anticipated problems.

Rosenfeld said that the Palestinians who stormed the tomb ransacked the yeshiva, destroying books and furniture. The soldiers succeeded in retrieving two Torah scrolls at the site, he said. Ofri said that a fresh contingent of IDF forces entered the compound on Friday on vehicles supplied by Rajoub, and that yesterday an IDF jeep entered the compound accom-

panied by Rajoub's men.

The IDF, according to Ofri, has placed heavy equipment, such as tanks, APCs and Cobra combat helicopters, on the outskirts of Nablus in the event of another attack on the tomb.

Rosenfeld would not comment on Defense Minister Yitzhak Mordechai's reported decision to pull the IDF forces out of the compound Thursday, a decision that was later reversed, other than to say that he "does not envy Mordechai's position," and that he wants to believe it was decision "made during a moment of weakness."

Ofri, however, said he was "stunned" by Mordechai's willingness to abandon the tomb.

The yeshiva at the tomb has long been considered a bastion of the extreme right wing, and earlier this year a number of its faculty and students, including its head Rabbi Yitzhak Ginsburgh, were placed under administrative detention barring them from entering the compound. Most of these detention orders have since been rescinded.

Palestinians to continue protests in Jerusalem

BILL HUTMAN

PALESTINIAN leaders in Jerusalem yesterday called for continued demonstrations, but said the protests should be peaceful, allowing for life in the city's Arab neighborhoods to return to normal.

"We will not sit quiet until the [Hasmonean] Tunnel is closed," said Palestinian Authority council member Hattem Abdel Khader.

He and other Palestinian leaders published an announcement in the city's Arabic press calling for pupils to return to school. Businesses were asked to reopen, but only until 3 p.m., through tomorrow, then return to normal schedules.

"Arab schools and businesses have been shut down since Tuesday to protest the opening of the tunnel exit.

Yesterday morning, stones were thrown at policemen guarding the

gate, apparently by pupils from the Al-Omariya School under which it was built. One policeman was lightly injured, a police spokesman said.

No other incidents were reported, but police remain on alert, with manpower beefed up throughout the Arab sector, particularly in the Old City.

"We don't want the situation to return to what it was during the intifada, when the pupils did not learn at all, and only took part in demonstrations," Khader said. Similarly, it is important that business reopen, he added.

Meanwhile, the Temple Mount Faithful announced its members would converge on the mount today. Police have said they would not allow the group, which calls for the removal of the mosques from the mount, onto the Temple Mount.

IDF denies Shahak intends to resign

ARIEH O'SULLIVAN

THE IDF Spokesman yesterday emphatically denied reports in the British press that Chief of General Staff Lt-Gen. Amnon Lipkin-Shahak is planning to quit in anger at the way Prime Minister Benjamin Netanyahu is handling the current crisis.

"The report is nothing but lies. There was never any such thing," IDF Spokesman Brig.-Gen. Oded Ben-Ami said in a statement.

According to *The Sunday Times*, Shahak has already written his resignation letter. The London-based newspaper, in an attributed report, said Shahak is furious at Netanyahu for saying the army backed his decision to open a new exit to the Hasmonean Tunnel in Jerusalem, when in fact he opposed the move.

NEWS IN BRIEF

Egged to cancel Cairo bus service

Egged said yesterday that it has decided to stop its regular bus service to Cairo, begun 15 years ago following the Israel-Egypt peace accord. The service will end in six months.

According to Egged spokesman Ron Ratner, the cancellation is due to economic considerations and was decided on before the recent unrest in the territories.

Ratner said that now the company only has one bus a week, with an average of 10 passengers. In its heyday, the company filled four buses a week. Egged's Egyptian counterpart, the East Delta Bus Company, which also has one bus a week, has given no indication that it intends to stop the service. *Haim Shapiro*

Jordanians quit Israeli stage of 'Peace Rally'

A Jordanian team of disabled canceled its participation in the Israeli leg of a four-day jeep rally in Jordan and Israel that was to mark the second anniversary of the peace treaty. Organizers said the Jordanians backed down due to the violence in the territories.

Instead, organizer Gidi Kamov said the Jordanians would join the rally when it arrives at the Arava crossing tomorrow.

The first of its kind, the "Peace Rally" was organized in part by the Challenge Association, which encourages the disabled to engage in sports, and includes IDF disabled veterans. The Jordanian Disabled Association team also included soldiers wounded in action. *Arieh O'Sullivan*

State ordered to justify press laws

Supreme Court Justice Theodor Orr yesterday gave the state 45 days to explain why two Mandatory laws governing the press should not be declared unconstitutional. The show-cause order was issued in response to a petition by the Association for Civil Rights in Israel, which argued that the laws - which require newspapers to be licensed by the Interior Ministry and enable the ministry to revoke these licenses and shut down papers at will - violate the Basic Law: Freedom of Occupation. Until recently, a grandfather clause in the basic law protected pre-existing laws from being declared unconstitutional, but the clause expired earlier this year. *Evelyn Gordon*

Hey Mom, no laundry! IDF installs washing machines on bases

ARIEH O'SULLIVAN

THE IDF is conducting an experiment: It is installing washers and dryers at IDF positions along the northern border and in some training bases. Not only is it cheaper than transporting dirty clothes to laundries in the center of the country, but it's bound to make home-comings that much sweeter.

The old joke used to be: "OK, Company B. Everyone is changing their socks today." "Hooray!" "That's right, everyone is to change them with Company A."

If the experiment works, soldiers in both companies will have a constant supply of clean socks and underwear, not to mention fatigues.

Laundry machines have been in place for a few months now in two positions in south Lebanon. Now the IDF Technology and Logistics Branch has expanded the service to four training bases, including the officer training school, NCO school, military police training base, and one other undisclosed base. None are intended for use by female soldiers at this stage. No soldiers won't have to stuff

their pockets with coins to operate the industrial machines, said Col. Arye Manor, head of the branch's R & D department, who is responsible for the project. Each company will have a laundry day and their own sergeants will be responsible for the machines, he said.

Once a week, every soldier will receive a laundry sack, like those on kibbutzim, to fill with dirty laundry for deposit in the morning. "At the end of the day he'll pick it up clean and dry," Manor said.

"It's not a luxury," said Manor. "It is an improvement for the individual. We don't know how much it will save, but it's not the money. We are doing it to improve the lot of the soldiers."

He also hopes it will remove unsightly clothes lines, thus improving the appearance of army bases.

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DO YOU KNOW MAGE

UN envoy visits Kabul after Taleban take control of Afghan capital

UNITED Nations' special envoy Norbert Holl held his first talks with Afghanistan's Islamic Taleban yesterday, saying the UN wanted to pursue a dialogue with Kabul's new fundamentalist rulers.

"My main message was an offer that the United Nations wants to continue the political dialogue and cooperation with Taleban," he told a news conference after a two-hour meeting with the governing council led by Mullah Mohammad Rabbani.

The Taleban, consolidating its hold on Kabul after Friday's largely bloodless takeover of the capital, yesterday promised talks with northern warlord General Abdul Rashid Dostum, but ruled out any role for ousted president Burhanuddin Rabbani.

"These people are not acceptable to the nation," state-run Radio Pakistan quoted the Taleban's Rabbani as saying of President Rabbani, Prime Minister Gulbuddin Hekmatyar and their top military commander Ahmad Shah Massoud.

Rabbani is not related to the ousted president.

The Taleban takeover has been the latest episode in years of fighting between various Moslem and ethnic groups since Soviet troops withdrew in 1989.

After taking the capital the Islamic militia has paused in its pursuit of forces loyal to the ousted president, who were apparently regrouping in the Panjshir Valley north of the city.

Instead it has concentrated on

ALISTAIR LYON
KABUL

consolidating its hold over Kabul where it quickly imposed strict fundamentalist law, ordering female office workers to stay at home and promising death for adulterers and drinkers.

A government would be set up soon in Kabul to run the country according to Islam, Rabbani said in his interview with Radio Pakistan.

The UN Security Council late on Saturday deplored the "brutal execution" of former president Najibullah, who was abducted by Taleban fighters on Friday from the UN compound in Kabul where he had sought asylum since his 1992 fall from power.

Witnesses said the bodies of Najibullah and his brother Shahpur Ahmadzai, which had been strung from a tower in public view, had been removed overnight, but it was not known to where.

The UN statement, read at a formal meeting, otherwise refrained from criticizing the radical Islamic militia directly for its takeover of Kabul.

It expressed "grave concern" about the military confrontation, called for an immediate end to fighting and asked all Afghan leaders "to renounce the use of force, to put aside their differences and to engage in a political dialogue."

Holl said he had asked the Taleban to protect UN agencies

working in Afghanistan and to respect the UN charter.

Asked why the United Nations wanted to increase cooperation with the secretive Taleban, Holl said: "Because the United Nations believes that without the cooperation of Taleban the Afghan issue cannot be solved."

He said he had discussed the question of human rights, including the Taleban restrictions on women working in offices and girls going to schools, and hoped that there would "be a constructive solution".

He said he was not planning to try to contact deposed president Rabbani and leaders of other pro-Rabbani factions, but added: "If they want to talk to me, I will talk to them."

Holl said he planned to go to the northern town of Mazar-i-Sharif soon to meet northern warlord Dostum.

Holl's plane, a small Beechcraft, was the first fixed-wing aircraft to land at Kabul airport for the past year.

The International Committee of the Red Cross (ICRC) said yesterday it had arranged a 35-lorry convoy of food and medical supplies in Pakistan to be sent to Kabul, probably on Monday, an ICRC official said.

Asian countries and commentators called at the weekend for an end to the fighting in Afghanistan, but nations generally stopped short of immediately recognising the new Taleban administration.

(Reuter)



UN special envoy Norbert Holl (second from left) is received at Kabul airport by a Taleban delegation including chief of protocol, Mullah Hafizulla (third from left) yesterday. Holl's plane was the first aircraft to land at Kabul airport for over a year. (AP)

Kohl: Stasi, KGB tried to thwart unification

BONN (Reuter) - The Soviet KGB and East Germany's Stasi tried to thwart German unification hours after the Berlin Wall collapsed by sending false reports of civilian unrest to Soviet leader Mikhail Gorbachev. Chancellor Helmut Kohl says in a book to be published this week.

In his book *I Wanted German Unity*, Kohl tells how Gorbachev telephoned him for reassurance during a hastily organised rally in West Berlin on November 10, 1989, the day after the Cold War border between the two Germanys was opened.

"Gorbachev wanted to know if it was true that things in Berlin were getting completely out of hand," Kohl writes in the book, extracts

of which were published in *Der Spiegel* magazine ahead of a formal launch on Tuesday.

"Was it true that outraged masses were storming Soviet military facilities?... Only later did I learn that Gorbachev had been deliberately fed false information."

"Opponents of reform in the KGB and the Stasi (East German Ministry for State Security) wanted to provoke a military intervention by the Soviet troops stationed in East Germany."

Kohl relates how, at the moment the urgent call came, he was squeezed onto the balcony of the Schoenberg town hall facing a crowd of hostile left-wing West Berliners, and could not leave for fear of seeming to give in to the hecklers.

Instead he had an aide tell Gorbachev

everything was under control. Gorbachev believed him and made clear to East Berlin's communist rulers that he would not send in Soviet tanks.

"To this day I am very grateful to Gorbachev for not listening to the agitators," Kohl wrote.

Kohl's book comes out 14 years to the day after he became chancellor and just before Thursday's sixth anniversary of German unification. But it also fits perfectly into a publicity drive leading up to October 31.

On that day Kohl, 66, will supersede his political godfather Konrad Adenauer as Germany's longest serving chancellor this century.

Nicu Ceausescu's funeral draws big Bucharest crowds

BUCHAREST (Reuter) - Thousands of Romanians attended the funeral of communist dictator Nicolae Ceausescu's youngest son Nicu, who was buried near his parents yesterday.

Relatives and friends gathered to pay respects and curious onlookers thronged the Ghencea cemetery in northwest Bucharest, straining for a glimpse of the coffin covered with Romania's red, yellow and blue flag.

Nicu, a hard-drinking playboy, was seen as his father's political

heir until Ceausescu and his wife Elena were overthrown and shot on Christmas Day 1989.

He died in a Vienna hospital on Thursday from liver disease at the age of 45. Friends flew his body home to be buried 100 meters from the tombs of his parents.

Members of the Ceausescu clan surrounded elder brother Valentin and sister Zoe as Orthodox priests conducted the two-hour funeral service.

Many Romanians harbor ambivalent feelings about the

Ceausescus, their ruthless 24-year rule and their abrupt downfall.

Under the former communists who have held power since, living standards are now lower than they were under the dictatorship.

"God rest his soul. His biggest sin was that he was his father's son," said a weeping woman mourner as dozens of security guards struggled to keep the crowd under control.

Adrian Paunescu, a former Ceausescu court poet now a candidate for president, recited an ode to "Prince" Nicu.

"Where has Romanian industry gone? Where's our daily bread? Where's justice for the people?" ran a dirge sung near Nicu's grave by a group of musicians led by Paunescu.

Paunescu is running for president for the Socialist Labour Party, heir to the former Communist Party, in November 3 polls, which coincide with parliamentary elections.

Nicu always protested his innocence, saying he had left town before troops shot dead 91 people and wounded about 200.

He was paroled in 1992 after courts quashed his initial conviction. He served out a lesser sentence for gun possession.

People in Sibiu remember Nicu for trying to oppose his father's belt-tightening policies. Some in his own generation see him as a liberal who snubbed hardliners around his father.

Final results give president win in Armenia poll

YEREVAN (Reuter) - Final figures released by the Armenian Central Electoral Commission yesterday gave President Levon Ter-Petrosyan victory over his main opposition rival with 51.75 percent of the vote.

Second-placed Vazgen Manukyan took 41.29 percent, while communist Sergei Badalyan took third place with 6.34 percent.

The count - little changed from provisional figures released last week - means there is no need for a run-off ballot between the two top candidates.

Manukyan's supporters had protested against the provisional results, saying that voting figures for Ter-Petrosyan were inflated and there had been numerous instances of fraud.

International observers said there had been problems, but they stopped short of calling the election unfair. Some said the irregularities might have been enough to tip Ter-Petrosyan over the 50 percent needed to win in the first round.

Ter-Petrosyan, an academic and Soviet-era dissident, sent troops and light tanks into the capital Yerevan to crush the opposition protests on

Thursday, but most soldiers have now pulled out of the center.

Western diplomats said at least 200 people had been arrested since the first round of voting in a crackdown on the opposition. Ter-Petrosyan aide Jerar Lparitayan has said details of arrests will be issued later.

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סניף מרכזי

Lots of laughs in James Bond spoof

FILM REVIEW

ADINA HOFFMAN

SPY HARD
★★1/2

Directed by Rick Friedberg. Screenplay by Rick Friedberg & Dick Chudnow and Jason Friedberg & Aaron Seltzer. Hebrew title: *Hameragel met mitz'hok*. English dialogue, Hebrew subtitles. Parental guidance suggested.

Dick Steele — Leslie Nielsen
Veronique — Nicolette Sheridan
The Director — Charles Durning
General Rancor — Andy Griffith

A supremely silly parody of the James Bond films, *Spy Hard* stars Leslie Nielsen as Steele, Dick Steele, otherwise known as Agent WD-40. Steele's a dapper klutz of a retired spy who returns to slapstick action when the evil General Rancor (Andy Griffith) — a sort of cartoon cross between Dr. No and Ross Perot — threatens to blow up the world.

Directed by Rick Friedberg and scripted by a team of young comedy writers (including the director's son, Jason), the picture follows in the not-so-noble footsteps of movies like *Airplane!* and the *Naked Gun* series, which combine fast-flying puns, sight gags and goofy asides with Nielsen's deceptively straight, golf-pro bearing and a host of quickie homages to — or lampoons of — various popular films.

Spy Hard sticks for the most part



Nicolette Sheridan and Leslie Nielsen in the no-holds-barred comedy 'Spy Hard.'

to satirizing movies an adolescent audience will be likely to recognize, blockbusters released in the last several years such as *Speed*, *True Lies*, *Pulp Fiction*, *Sister Act*, *In the Line of Fire* and *Home Alone*. The only references that may be lost on child viewers are a

send-up of *Butch Cassidy and the Sundance Kid*, and some of the more explicit Bond allusions. (It seems doubtful that the rather dutiful *Golden Eye*, the most recent Bond caper, packed enough of a punch to alert a whole new generation to 007's shaken-not-stirred

bag of tricks.) For the first half hour or so, *Spy Hard* is surprisingly entertaining: "Weird Al" Yankovic wears a white tuxedo as he belts the ridiculous opening song, compulsory for any Bond rip-off, and the action that follows is peppered with funny lit-

le literalisms and broad physical jokes, most of which pass so hurriedly, we barely have time to absorb them before the next stick races by. The pace is blessedly unbelabored. Punchlines and projectiles career through the air without the slightest trace of pretense or drag.

The problems, not surprisingly, develop as the movie goes on. Skit humor of this whoopee-cushion variety is difficult to sustain over the course of a full-length picture, and the longer we sit there, the less funny the film's "borrowed" sequences come to seem. Basically, *Spy Hard* works when it knocks the spy-movie genre on the whole: the moment a mocking tribute to a particular picture begins, there's a second or two of laughter (when, say, WD-40 and his sexy Franco-Russian sidekick, Agent 3.14, assume the mod John Travolta-Uma Thurman costumes and dance positions from *Pulp Fiction* and begin to copy their twist). But as soon as we've recognized the reference, all the humor dries up. Tarantino's original film, in particular, was already so packed with snide irony that the *Spy Hard* imitation seems an especially unamusing moot point.

Such derivative redundancy is, in a nutshell, the real limitation of a picture like this one, since the James Bond movies — the primary butt of the film's extended joke — are already, in themselves, a knowing self-parody. Satirizing a satire is more than a little futile: it's a dead-end street.



Matthew Broderick portrays genius physicist Richard Feynman in the film 'Infinity.'

Hollywood focuses on physicist Richard Feynman

TOM TUGEND
LOS ANGELES

We learn a good deal about the early life of Richard Feynman in the film *Infinity*, just enough to whet our appetite for a sequel that might tell us about the later years of this Jewish scientist, who died in 1988, aged 70.

Just released in the US, *Infinity* stars Matthew Broderick, who is also the producer and director, as young Feynman, and Patricia Arquette as his first love, Arline Greenbaum.

The film covers the first 28 years of Feynman's life, tracing his evolution as a scientist. But the main focus is on his courtship, marriage, and ultimate loss of Arline.

Jewish movie critics, who bewail Hollywood's penchant for coupling nice Jewish boys with blonde shiksas, will be delighted with one aspect of *Infinity*. Arline Greenbaum is not only indisputably Jewish, but she is also smart and beautiful, and she first encounters Feynman at the synagogue youth center in the New York suburb of Far Rockaway.

However, those who hope for further indicators of Jewish homelife or identity will be disappointed. The fault lies not so much in the film as in Feynman himself. In his two autobiographies, the scientist takes his Jewishness for granted, but rarely expresses it outwardly or inwardly.

"Richie" Feynman and "Putzie" Greenbaum assume they will marry one day, when suddenly their situation changes dramatically. Arline is diagnosed with tuberculosis, then a fatal and highly contagious disease. Despite the pleadings of his parents, Feynman shows his character and loyalty by marrying her, sealing the wedding ceremony with a kiss — on the cheek.

Feynman leaves Princeton to work on the A-bomb's Manhattan Project mainly to earn enough to support Arline, and moves on to Los Alamos, New Mexico. With the help of project director J. Robert Oppenheimer, Arline is able to stay at a hospital within a few hours' driving time, where Feynman visits her on weekends.

Feynman's lives as atomic physicist and weekend husband run on parallel tracks, intersecting occasionally in curious ways. When Feynman has to rush to the hospital after an emergency call, he borrows the car of a dormitory friend.

"His name was Klaus Fuchs," Feynman wrote. "He was a spy, and he used his automobile to take the atomic secrets away from Los Alamos to Santa Fe. But nobody knew that."

Arline died in 1946, five years into the marriage, and Feynman tells his grieving sister, "We had a hell of a good time together."

Infinity, which was filmed at the sites of the actual events, faithfully recreates the look and feel of the war years in America. Director Broderick directs Broderick and Arquette with restraint and even humor, no mean feat given the rather somber denouement.

Telling tales in Holon

HELEN KAYE

Leibowitz telling robber stories or former president Yitzhak Navon telling Jerusalem stories, and so on.

Storytelling "is the ultimate in community theater," maintains Alfi, who is one of the pioneers of local community theater. "People are sated with drama and don't listen, but everybody will listen to a story. It's the most essential tool for interaction there is and in our Jewish state, it's the only one we can all subscribe to."

Alfi is a born story teller. Even his birth is a story. He was born in 1945, he thinks, in Iraq "four years after the pogrom in Baghdad and in the summer on a day of mourning."

For 19 years he never celebrated or even knew the precise date of his birthday, "because counting years brings on the evil eye," his mother told him. But every 19 years the Jewish and the Gregorian calendar coincide and that day, the ninth of Av, "the day of mourning" fell on August 5. Besides, everybody agrees that he was 30 days old when he was taken to his Aunt Simha's wedding and the date is engraved on her wedding band, September 5, 1945.

He immigrated with his grandmother when he was four, but she

said he was 10. The army drafted him when he was 12, he says, and there was no end of trouble before bureaucracy untangled itself sufficiently to defer him "but they took me before I could sit for my matriculation because they said I'd been deferred once already."

One of 10 children, he went into theater because "I don't know, maybe it was a need for love, for attention. You had to fight for attention in our huge family." He thinks his acting genes may have come from a red-headed cantor ancestor some six generations back.

After several courses and seminars and then two years at the then Cameri Theater acting studio, Alfi went off to study acting and directing at the London Academy of Music and Dramatic Art on a full scholarship. In his second year there, he wrote and directed two of his own plays.

Back in Israel, he went into Tel Aviv's explosive Hatikva Quarter, took a bunch of kids, sent them "to find out who they were and made a play of it. This was a revolutionary concept for the time."

Community theater for Alfi does-



Yossi Alfi: 'Everybody will listen to a story.' (Shoshana Eytan)

n't mean a bunch of people staging plays, but making their own plays that derive from their own lives in their own communities because "drama comes out of the main issues of the day, except that to make art and not socio-drama, you have to lift [the material] out of the everyday."

Succot festivals 'unmask' classical music

MICHAEL AJZENSTADT

WHILE most Israelis enjoy traveling throughout the land during Succot, for conductor Yuval Ben-Ozer, 39, this is the busiest time of the year. And in these days he is involved with a variety of musical events with his own New Vocal Ensemble and with other organizations.

For example, Ben-Ozer is the music director of the Musica de Camera festival at the Suzanne Dellal Centre in Tel Aviv and the nearby Immanuel Church in Jaffa (Tuesday-Thursday).

"Those who do not go away should also have a festival to enjoy. And people really like to come to Suzanne Dellal." And the beauty of the locale even compensates for the terrible acoustics in it. "This place was built for dance

and not for music and no one should forget that." Quite a few of the ensembles appearing in the festival are also performing at other festivals around the country this week, including choirs from Norway and Albania and chamber music ensembles from Austria, for example.

"I don't need exclusivity. It's a pity for an ensemble to come to Israel and then to perform only once or twice in small halls and go away. But I always make it a point that what they perform in my festival is exclusive." That said, the Musica de Camera festival does have two exclusive attractions: renowned British soprano Catherine Bott and the China Opera and Dance Drama Theater Quartet.

Ben-Ozer's own New Vocal

Ensemble also participates in one program in the festival, but in a rather minor way. "It's not that I'm modest or something, but when I direct a festival I have no time for performing in it. The ensemble takes part in a program of music with a smile which features, besides some local musicians, duo entertainers Shlomo Bar-Abba and Moni Mushonov as narrators.

"Look, we do have to sell tickets and after all I think the time has come to tear off the seriousness mask from classical music. People should come to concerts to be entertained. Now they will hear classical music but if these names will also bring in a new

audience than what's wrong with it?"

The day after his own festival in Tel Aviv ends, Ben-Ozer moves to a single performance at Succot's most captivating festival, the vocal music festival in Abu Ghosh. There he conducts the Kibbutz Artzi Choir in a program of choral music by Mozart, Vivaldi and Victoria, one of 14 exciting concerts taking place in the serene setting of the Arab village at the outskirts of Jerusalem.

Some of the performers who were also performing in the festival in Tel Aviv like Belgian counter-tenor Michel Puissant, plus various other local and international musicians, will also perform there.

The following day Ben-Ozer conducts the Israel Chamber

Orchestra in a Brahms program. The orchestra will be joined by a choir of 40, based on Ben-Ozer's New Vocal Ensemble, which was inaugurated three years ago and that has been performing regularly in the past 18 months.

"I believe there is a lot of potential in Israel for choral work. But someone must devote all his time to it and really create a first rate choir here." His own ensemble performs this season in a newly created choral series at the Tel Aviv Museum, in a concert with Musica Nova and in various other events. He is already planning for future holidays. On Shavuot Ben-Ozer will be the music director of two choral festivals, the one in Abu Ghosh and another one at the Suzanne Dellal Centre in Tel Aviv.

Three top British theater companies prepare for Israel tour

HELEN KAYE

At last! English-speakers have a theater season in their native tongue. Between October and March, three UK companies will perform up and down the country.

The theatrical companies are Rejerts Reveng, performing the black comedy *Peasouper*; the Shared Experience, with a new production of Shakespeare's *The Tempest*; and Irish actor Bob Kingdom, who first visited here in 1991, who is coming back with his one-man shows *Return Journey* (about Dylan Thomas) and *Truman Capote Talk Show*.

Peasouper won the 1995 Edinburgh Fringe Prize. *The Tempest*, which premieres next month, is "full of music," according to series producer Rafi Ben-Ya'akov, "and the company is considered one of the three best young companies, right along with Cheek by Jowl."

This company presented a

provocative, minimalist and captivating production of *As You Like It* in 1994, the same year that the ultra-prestigious National Theater came with *The Madness of George III* starring Nigel Hawthorne.

English-language theater has been on the increase locally and Ben-Ya'akov's company, Artis, thinks that the time is ripe for a series.

"When we started," Ben Ya'akov recalls, "maybe 70 to 80 people came, but when we presented *Chasing the Moment* by and starring Jack Shepherd last January, more than 4,000 people saw the shows. These are really for English-speakers. It's true more Israelis now speak English easily, but they want the big names."

The shows will be in Tel Aviv, Kfar Sava, Jerusalem, Haifa, Karmiel and Beit Gabriel — but not in Beersheba "because nobody will rent us a suitable venue," says Ben-Ya'akov sadly.

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Irresponsible protest

SINCE it is hard to find much positive to say about the government's handling of the past week's bloodletting, one would at least have liked to see the opposition providing a statesmanlike contrast. Instead, the opposition's behavior has been disappointing in the extreme. Rather than supporting the elected government while our soldiers were under attack, most of the Left has chosen to verbally abet the armed Palestinians who have killed 14 Israelis in the last four days.

This irresponsibility reached its height with an anti-government rally in Tel Aviv Saturday night, organized by Peace Now and Dor Shalom Doresh Shalom (A Whole Generation Demands Peace). At the rally, which attracted some 30,000 people, speaker after speaker insisted that the blame lay not with the Palestinian Authority — which openly encouraged armed mobs, led by Palestinian policemen, to storm settlements and army outposts with rocks and guns last Thursday — but with the government.

However misguided the Left believes the opening of the new entrance to the Western Wall tunnel was, it is not legitimate to say, or even imply, that this opening justified the Palestinian rampage that followed.

If a peace agreement means anything, it means that when one party does something to anger the other, the aggrieved party attempts to resolve the problem through diplomatic means. Israel, even under the most severe provocation — a series of suicide bombings that claimed almost 60 Israeli lives in eight days — honored this rule. The Palestinian Authority, however,

chose to initiate an armed conflict, resulting in dozens of dead and hundreds of wounded, over an act which did not endanger a single life, and which did not even have much political significance.

The peace camp, as the staunchest advocate of a diplomatic agreement with the Palestinians, should have been the first to denounce this behavior as — to say the least — inconsistent with the requirements of a true peace. Instead, it held a rally proclaiming that the government's actions justified the violence. By doing so, it simply encouraged the PA to engage in more violence next time its demands are not met.

Furthermore, though it is obviously legitimate for the Left to advocate measures it considers necessary for peace — such as a withdrawal from Hebron and the closure of the tunnel — and to criticize the government for not adopting them, the time to do so is emphatically not in response to an armed attack. This merely confirms the PA's evident belief that violence, rather than negotiations, is the way to achieve its goals.

The irony of Saturday night's rally is that it undermines not just the government, but also the peace camp's own position. The average Israeli was shocked and appalled by the behavior of our so-called "partner for peace" last week. Few events could have been more calculated to raise doubts among middle-of-the-road voters as to the ability to reach a final agreement with the Palestinians. By allowing PLO chairman Yasser Arafat to believe he can get away with such violence, the peace camp is dooming its own cause.

Russia's future

AS Russian President Boris Yeltsin gains strength and waits to undergo heart surgery, it is clear that his control over events in his country has waned, with senior officials, such as security chief Alexander Lebed, warning of impending chaos. This is worrisome, for no one can predict which of the competing groups that make up today's Russian leadership will eventually fill the vacuum caused by Yeltsin's illness.

The West, however, has to prepare for dialogue with whichever Russia emerges from this tense time.

It is extremely unlikely that the world will go back to the bi-polar division that marked the immediate post-World War II era — the current balance of power in Europe and Asia is very different from what it was then. At the same time, it should not be forgotten that Russia, regardless of who governs it, sits astride a huge geopolitical heartland and has its own definite strategic interests. It also possesses nuclear weapons. The question is what role Russia will be given as a significant player, not in a bi-polar world, but a multi-polar one.

When the nations of what was termed the Eastern Bloc effected their remarkable revolutions one by one in the autumn of 1989, many observers were stunned. When this was followed by the American-led victory in the Gulf War and the final lowering of the Soviet flag over the Kremlin in December 1991, some even spoke of the "end of history." There was a prevalent feeling that Woodrow Wilson's vision was, 70 years later, finally going to become a reality: A world dominated by one benevolent superpower, the US, would peacefully transform itself into a collective of free-market oriented democracies. Many, confusing Communist ideology with Russian geopolitical interests, thought that the end of the Soviet Union meant that Russia could be more or less ignored.

Events since then have not followed this exact prescription. For one thing, US public opinion has become increasingly more isolationist. Although the US remains the only country with the resources and ability to intervene in all parts of the world, it has appeared to be hesitant to do so, most conspicuously in the case of Bosnia, after its experiences in Somalia and Haiti. Foreign spending is also unpopular in Washington. In addition, both the European

Union and the ascendant nations of the Far East have made it clear that they intend to more actively pursue their own policies. The result has been a developing international system that stresses balancing a number of different regional or national interests.

It is in this context that the question of the future of Russia should be considered. Russia has a long legacy of imperial traditions. It should not be forgotten that the world witnessed a previous collapse of a Russian empire — between 1917 and 1923 — only to see it reemerge and eventually dominate half of Europe. Although Yeltsin has been consistent in leading a cautious domestic reformist movement, he shares in the broad consensus that exists in Russia which holds that Russia must play a dominant role in what is termed the "near-distant" areas of Eurasia. This is independent of domestic Russian questions regarding democracy or authoritarianism; not every anti-communist or democrat is an anti-imperialist. It is on this point that the West must clarify its interests and positions.

Different areas require separate considerations. The nations between Germany and Russia, such as Poland, Hungary, and the Czech Republic, are the most crucial as far as the direct interests of the West are concerned. They are rightly asking for accelerated integration into west European institutions and the extension of NATO alliances. Hesitation on the part of the West here would not be wise.

But the areas that were formerly part of the Soviet Union are more complicated. There are still Russian troops in some former Soviet republics. The Baltic states and the Ukraine are continually nervous about Russian intentions. Although central Asian countries such as Uzbekistan, Tajikistan and Kyrgyzstan may seem exotic to many, Russian interests in them can potentially run up against Western ones, given their proximity to the nations of Asia and the Middle East.

If Russia will, for the first time in 1,000 years, witness a smooth constitutional transition of power, the world can applaud a further sign of the advancement of liberal democracy. But regardless of who the next Russian leader will be, the West should prepare for dialogue with Russia based on mutual respect of interests, while integrating it as a player in an international order striving to maintain a stable balance.

Hurt of the matter

AMY KLEIN

I didn't know his name until I had been there for some time. But in the ruthless Jerusalem mid-morning sun, reflected in the sunglasses of hundreds of mourners, I learned much about him.

His friends and family and acquaintances were religious and non-religious. Women with their hair covered, men with long beards, girls in skintight jeans, boys wearing borrowed kippot.

One teenage girl's plaintive wails seemed like a collective

remembered. "Words are just words," said the rabbi of Kfar Adumim. "To comfort the family there are no words."

I went to the funeral of a stranger to get to the place before we got the words. Before the explanations and exploitations, the politics and the rhetoric.

Even as I stood among the mourners, the words came tumbling, quickly clamoring to define. But when the tears came, there were no more words.

I went to the funeral of a stranger so that he wouldn't be a statistic. So that I couldn't use body counts as facts, a dead person to prove a point.

I went to the funeral of a stranger and found I had lost a friend

In the background, against the low hum of bees, was the palpable shock of a town before a holiday that would not now be festive; and then the body came.

The army jeep waited silently, respectfully. It was enveloped by his family, his unit, soldiers in uniform, crying, embracing. The Israeli flag didn't flutter. Smooth, unwrinkled, it covered the coffin moving on comrades' shoulders toward its final resting place.

"Our father Abraham was only tested when he brought his son [for sacrifice] said Itamar Souda'i's father. But for me, Abraham Souda'i, it is for real."

"How do you live without your other half?" asked Itamar's best friend. "Itamar, you always said you would be released first — and you were right. The memory of you will stay with me."

"Itamar always had a smile, a kind word. He was always there to make us laugh," Itamar's aunt

AS A new immigrant I don't often know the fallen soldiers. With this unconnectedness it is too easy to gulp down the sorrow and move on to the words. To who is right and who is wrong, to what is fair and what is unfair, to what should have been done and what should now be done.

In the clatter of words, Itamar Souda'i is forgotten; and we didn't know him anyway.

I met Itamar at his funeral. He was in the army three years less two weeks. He was an officer, last evaluated as "responsible and able to handle a situation under pressure."

A friend said: "I don't know how he died, but I'm sure he was a hero. I'm sure he was out there in front, leading, that he died strong."

Itamar was quiet, but he had an inner strength that embraced anyone who needed a smile, a bit of encouragement, a helping hand. "Where's Itamar?" they would ask. Where indeed?

The rabbi of Kfar Adumim said that Itamar was named after Itamar, son of Aaron, and he told

Dry Bones



this about Aaron: Whenever he saw two Israelites fighting he would go over to each and say, "Don't you know how much your friend wants to make up with you?" He would persevere until the hate had left both their hearts.

The rabbi taught this to Itamar's class in school and they had asked: "But wasn't Aaron lying?" "No," the rabbi had told them. "It wasn't a lie. They really did want to make up with each other."

There is a game in the world, the rabbi told the mourners, involving people and politics. People get insulted and they react, often forgetting that they don't really want to hurt one another.

No Jew really wants to hurt another Jew. Aaron didn't lie. He simply cleared away the fog — the words, and the events stemming from them — and got down to the heart, to the hurt of the matter.

Itamar Souda'i was like that, said the rabbi. A pursuer and lover of peace.

I went to the funeral of a stranger and found I had lost a friend. In the silence before the words resume, the memory of Itamar Souda'i is hard to lay down.

The writer works for The Jerusalem Post.

Power of disdain to destroy

ABRAHAM RABINOVICH

THE education of Binyamin Netanyahu in responsible national leadership began last week and it is proving, as expected, a costly one.

The issue of the tunnel exit which touched off the current storm is a revealing indicator of the glib shallowness that has marked Netanyahu's performance thus far. The exit itself would, in "normal" times, not have merited notice. It endangered no Islamic holy place, as Yasser Arafat charged, and it served a perfectly good utilitarian purpose. Instead of having to double back down a long archaeological tunnel to get out, visitors would be able to go straight through.

Netanyahu expressed dismay that the Palestinians had seized on a small doorway as an excuse for virtual war. He charged, correctly, that Arafat was exploiting the issue for political gain. The object of the doorway was to assist tourism; Arab merchants would have profited most, said the prime minister.

The air of injured innocence, however, was betrayed by Netanyahu himself. In declining to apologize for having approved the exit, he said he would not be dissuaded from giving expression to Israeli sovereignty in Jerusalem.

Here was the true issue. Arafat's talk of holy places was blather, and so was Netanyahu's talk of tourism and profits for Arab merchants. For both men, the issue on the table was Jerusalem itself and, beyond that, their respective postures in future negotiations.

The tunnel exit, innocuous as it was, lay in the middle of the Moslem Quarter. The Arabs

regarded it as an intrusion into their inner turf — the neighborhood within the Old City walls that is the bastion of the Arab presence in al-Kuds, Jerusalem.

They had opposed excavation of the tunnel and regarded the exit's opening as another Israeli power play.

Netanyahu, in effect, admitted they were right. He was going to open the tunnel regardless of what the Arabs who lived there thought

to deal with them respectfully.

Instead of respect he has shown them muscle and smugness. His refusal for two months after taking office to meet with Arafat was intended to shore up his credibility with the Israeli right and to encourage Arafat to toe the line in order to win an audience.

Clever tactics that might have been, but it was grotesque strategy since it signaled disdain toward Israel's chief negotiating partner

If the aim is a dignified settlement how can one's public posture exclude the other side?

because he had the power and because he saw it as an assertion of Israel's exclusive rule in Jerusalem.

For perspective, let us imagine an archaeological tunnel that exposed the glories of the Moslem past in Jerusalem surfacing in the Jewish Quarter, against the wishes of the Jews, and disgorging not only tourists with spending money but fundamentalist Moslems with an attitude. Expand that fantasy by imagining that the Jews were living under an Arab regime they were convinced was attempting to erode their presence.

AN ABSENCE of empathy is a fatal flaw in a national leader — literally fatal, as we saw last week. Netanyahu certainly need not agree with the Arabs' position, but it is incumbent upon him to know how they think and feel, and

raised doubts about the seriousness of Netanyahu's desire to forge an honorable peace rather than impose a dictated one.

Those doubts have mounted in steady increments over the past three months — foot-dragging on Hebron redeployment and all other Israeli commitments while insisting that the Palestinians honor every one of their own commitments, large and small; approval of thousands of new housing units in Israeli settlements while demolishing Arab structures, including a club for the disabled, because they had no building permits.

Netanyahu's repeated declarations about Israel's exclusive rule in Jerusalem, the Jews' eternal capital, render the Arabs invisible. But they have been living in Jerusalem for 1,300 years, almost all that time its dominant element, longer in fact than the Jews ruled

here in antiquity, and they still constitute close to 30 percent of the city's population. They, and the billion Moslems they represent, deserve more than to be cowed or ignored or for their leader to be kept waiting, hat in hand. People who are ignored or humiliated often do unpleasant things.

Since assuming office, Netanyahu has seen fit to declare a number of times that he was elected by the Israelis, not the Palestinians. There is a dismissive ring to that line that presumably goes over well with his right-wing constituency.

But a mature statesman seeking a dignified settlement with a long-time enemy would adopt a public posture and a rhetoric that embraces, not excludes, the other side, a vision that would also offer them hope.

Neither the Palestinians nor the Israelis know where Netanyahu is headed. It is common wisdom by now that he is as uncertain as the rest of us. Empty rhetoric will not cloak the impossible divide between his pledges to the right to make no meaningful concessions to the Arabs and the pledge he made to the rest of the electorate to bring peace.

Enough voters believed Netanyahu would bring peace to give him his victory. The question that remains after his 100 days of grace is which of these two groups he will in the end betray. Upon the answer rest many lives.

The writer is a member of The Jerusalem Post editorial staff. The views expressed are not necessarily those of the paper.

Let's not be shy to ask...

AARON LERNER

LAST week's events created a new situation, in light of which the following questions seem pertinent:

• If the Palestinian security forces that opened fire on Israelis did so without authorization are they going to be arrested and prosecuted by the Palestinian Authority?

• If the armed Palestinians photographed in the incidents are not PA security men will they be arrested for illegal arms possession and disarmed?

• How can Israel redeploy in Hebron based on a model that assumes the PA security forces will cooperate with rather than oppose IDF forces?

• Why has the US, a witness to

the agreements between Israel and the PLO, refused explicitly to condemn the PA for committing this most serious possible violation?

• Why has the Israeli left, including the leadership of the Labor Party, declined to condemn seriously the armed attacks against Israelis by Palestinian security forces — including by Yasser Arafat's own Force 17?

• Shimon Peres told reporters that "the peace process must not be allowed to slow down, otherwise there will be violence." Does this mean Israel must not have any "red lines"?

• Former Labor Tourism

Minister Uzi Baram says that the Hasmonean Tunnel should be opened, but that the appropriate time should be picked. He also notes that there were four occasions that the Labor government considered opening the tunnel.

They dropped the idea twice because relations with the PA were too bad and they didn't want to exacerbate the situation, and twice because relations were so good that they didn't want to poison the atmosphere.

When, then, would be the "right" time to open the tunnel?

• It is an indisputable fact that the Hasmonean Tunnel in no way impinges on the Temple Mount or

can have an impact on the structural stability of the mosques on the Temple Mount. Does a policy of "even-handedness" require the uncritical repetition of lies about the tunnel?

• Shimon Peres told the Knesset recently that the PA has completely honored the agreements for the past six months.

Was Peres unaware of the many serious violations (many of which were security-related — for example not collecting illegal weapons), or does he maintain that, for the sake of the peace process, PA violations should all be ignored?

The writer is an associate of IMRA (Independent Media Review & Analysis).

LETTERS TO THE EDITOR

RAP MUSIC

Sir, — While agreeing with the basic premise of the September 17 op-ed article on "Gangsta rap" by Mark Hardie, I would like to point out that rap is only the latest manifestation in a long line of cultural expressions adopted by disaffected youth. Although more insidious in its advocacy of violence, rap is comparable to other forms of musical rebellion. I find it difficult to differentiate gangsta rap's portrayal of misogyny and violence with alternative rock music's depiction of drugs and suicide.

Additionally, Mr. Hardie's solution is somewhat naive. Although parents to have the right to information concerning their children's listening preferences, to have the Ministry of Education publish an "informative pamphlet" on the subject of rap will, if anything, produce the exact opposite of the desired effect. When society labels a per-

ceived vice as detrimental to youth, then the vice immediately appears more appealing to youth. Take for example the US campaign to label all explicit recordings with a "parental advisory" sticker. Instead of placing the desired stigma on the recordings, the stickers were perceived by teens as adding glamour to the recordings. Society's condemnation of explicit music gave disaffected youth extra incentive to rebel. Needless to say, rap music sales exploded.

If Mr. Hardie is serious about eradicating the degrading and destructive effects of explicit music in Israeli society, a transient solution will not be an effective one. Rather, youth must be taught what real Jewish values are and be given solid role models to emulate. Only then will rap and other expressions like it lose their appeal.

GABRIEL P. MOREEN
Jerusalem.

EXTORTION

Sir, — "Badr-96." Egypt's code name for its recent most massive military maneuvers since 1973 including a simulated attack in the Sinai, in conjunction with Syria's troop movements is no coincidence. Egypt's code name for its attack on Israel in 1973 was "Badr."

These obviously coordinated simultaneous Egyptian-Syrian moves are meant to convey a specific threat to Israel. Either you exchange land for "peace," or else there are other Arab options.

WILLIAM K. LANGFAN
Palm Beach, Florida.

POSTSCRIPT

SORT OF like John Wayne galloping onto the homesteaders' spread to save them from the bad guys, tenor John Murray of West Babylon, NY, bounded from his seat at an opera house in Verona, Italy, and rescued a production of Carmen that was headed for disaster.

"It went very well," Murray

said modestly when he called his wife Louise back home.

Murray, who had been performing at the Salzburg Opera Festival, flew to Verona to check out its opera festival.

One night, he was watching a performance of Carmen starring Russian tenor Sergej Larin as Don Jose. And the bad guys — flu

bugs — struck.

"Near the end of the third act John noticed the tenor was losing his voice," Louise said. "So he went backstage and volunteered."

By then, conductor Daniel Oren had been calling tenors all over the area, but he wasn't able to find a sub for the star.

Murray appeared, wearing only shorts and T-shirt and offered his services, but the conductor looked at him as if to say, "Who's this American lunatic?" said Louise. Murray, who knew the part, was given an on-the-spot audition. After just a few notes, he was cast.

The audience of 15,000 went wild.

Dead Aim

Missteps Reopen the Door to Blood and Tears

By SERGE SCHMEMANN

THE Middle East is an unstable structure at the best of times, and there are moments — far too many — when even a small shift of weight causes the entire structure to wobble and crumble.

Such a moment was the swearing in of Prime Minister Benjamin Netanyahu in Israel on June 18. On the surface, it should not have been so major a shift: Mr. Netanyahu and his lieutenants insisted they were committed to the peace accords, the Palestinian homelands stayed quiet, the American Congress gave the new Prime Minister the requisite standing ovation.

Yes, some Palestinian lands were confiscated, some building began in the settlements and some Arab leaders grumbled. But the new Likud-led Government could argue that all this also happened under the Labor Government that had reached the accords.

Work Undone

Nevertheless, there was a critical difference. It was not so much in what Mr. Netanyahu said or did, as in what he did not do. Week after week, he avoided meeting Yasir Arafat, or withdrawing from Hebron, or releasing Palestinian prisoners, or renewing negotiations, or otherwise making clear what he intended to do.

Under Shimon Peres, the Palestinians had been prepared to accept various restrictions and delays, because the premise was always that in the end, the zigs and zags were all in the interest of achieving the peace. Under Mr. Netanyahu, this could not be taken for granted, and the delays came increasingly to seem deliberate. So all the little gestures — the tough talk at Syria, the confiscations, the demolitions, the settlement permits — took on a threatening aspect.

On all sides, tensions and suspicions mounted. Syria moved troops up to Mount Hermon in the north. Egypt issued scolding statements. Mr. Arafat called general strikes as warnings. Diplomats and United Nations officials warned that Palestinian nerves were stretched to the limit.

In the end, the trigger seemed almost trivial — a new exit to a tourist tunnel. Palestinian claims that the tunnel somehow threatened nearby Muslim holy sites were unfounded.



During the upheaval in the West Bank last week, a Palestinian policeman, encouraged by other Palestinians, shoots towards Israeli soldiers in Ramallah.

Continued on page 2

Who's a Liberal!

Is Clinton One? Was Nixon?

By RICHARD L. BERKE

CAMDEN, N.J.

HOW do you stump a liberal? Ask him or her whether President Clinton is one. The response will be momentary bewilderment, and often a stammer, but almost never a definitive "yes."

"It's in the eye of the beholder, but I think he's a pragmatic progressive," said Michael S. Dukakis, the 1988 Democratic Presidential nominee who proclaimed his liberalism on the eve of that election — and lost.

"He's neither liberal or conservative — he is a progressive," agreed Harold M. Ickes, a deputy White House chief of staff and the most devoted liberal in Mr. Clinton's inner circle.

"We would have an internal debate about that question, especially after his decision to sign the welfare bill," said Robert J. Carolla, communications director of Americans for Democratic Action, the nation's oldest liberal organization, which is sponsoring a seminar this weekend to contemplate the direction of liberalism.

Bob Dole seems to have no internal debate about the question, though. In references to Mr. Clinton in a string of speeches last week, he repeatedly unleashed the "L-word," a word dreaded by Democratic candidates since the 1960's, when it became identified with antiwar activism and causes like feminism and gay rights.

A Tough Sell

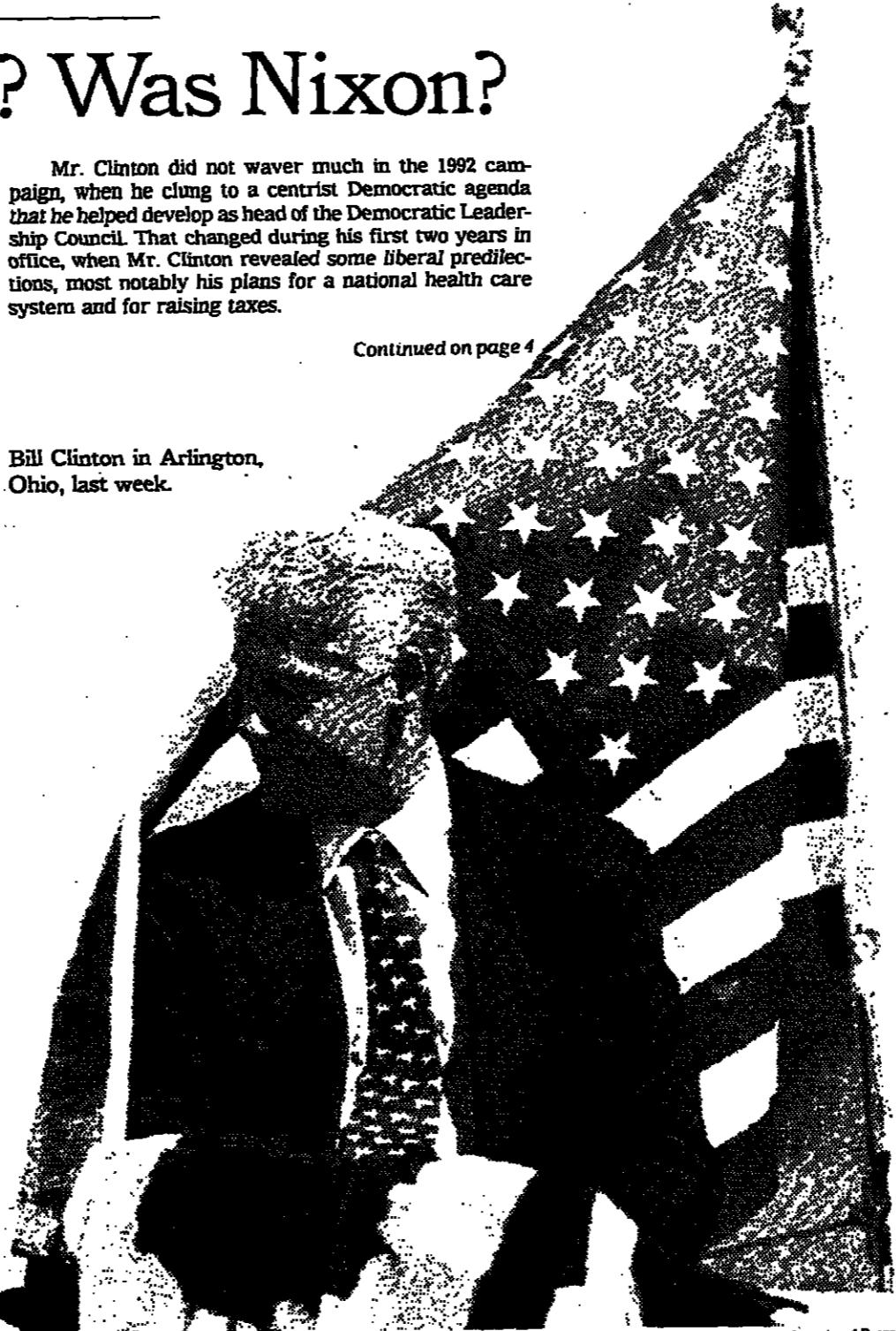
As he searches for a pitch that will catch on, Mr. Dole is staking his prospects on persuading voters that Mr. Clinton is concocting reckless spending and permissive social programs to inflict on an unsuspecting public during a second term. And a defensive Mr. Clinton last week ducked any affinity with the philosophy that has guided his party from the time that Franklin D. Roosevelt launched the New Deal in the 1930's. Standing in the Oval Office, he went so far as to insist that he was not "a closet liberal."

Indeed, Mr. Dole faces a tougher sell than George Bush in 1988 and others before him because the label that helped bring down so many Democratic candidates simply does not fit Mr. Clinton very well. As Governor of Arkansas, Mr. Clinton was not known for proposing massive spending programs. And unlike most liberals, Mr. Clinton has long supported the death penalty and has never been cozy with organized labor.

Mr. Clinton did not waver much in the 1992 campaign, when he clung to a centrist Democratic agenda that he helped develop as head of the Democratic Leadership Council. That changed during his first two years in office, when Mr. Clinton revealed some liberal predilections, most notably his plans for a national health care system and for raising taxes.

Continued on page 4

Bill Clinton in Arlington, Ohio, last week.



Bless His Heart
Why Boris Yeltsin has become a metaphor for all of Russia.

By Francis X. Clines

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Simpson Redux
Even in jury selection, the dirty dilemma comes down to race.

By Carey Goldberg

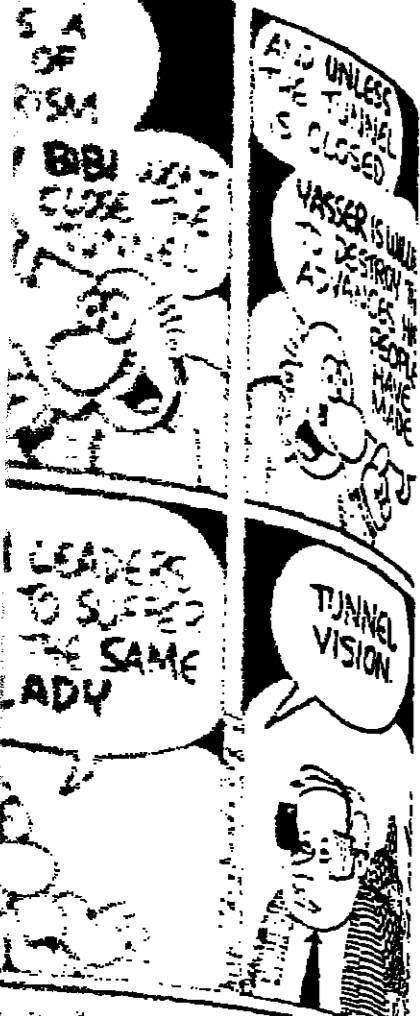
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October Surprise?
Underdogs and bored journalists look for a last-minute election news jolt.

By James Bennet

3

y Bones



to destroy

y to ask...

The World

In One Man's Heartbeat, a Sense of Russia's Own

By FRANCIS X. CLINES

BEATS there a heart so feckless, so heroic as Boris N. Yeltsin's? Five years ago, the Russian President showed its throbbing dynamic when he emerged on the Moscow ramparts to snuff the brazen coup d'état staged by Kremlin reactionaries. "Aggression will not go forward!" he shouted, and anyone who witnessed his defiance may forever bless his heart. "Only democracy will win!"

In characteristic Yeltsin fashion, however, his historic victory there in sealing the end of the Soviet empire was soon followed by vivid reports of a spree of bibulousness as the Russian President led a domestic summit meeting that was supposed to be drafting the post-Communist order.

"He's in there like this," an astonished Russian news photographer explained to me after a summit photo op, pressing his forehead to mine and offering crossed eyes and a rubbery grin to depict Mr. Yeltsin's demeanor with a fellow negotiator. The poor photogra-

Yeltsin's heart won him his victories. But now it's giving everyone the jitters.

pher was further scandalized backstage in seeing Mr. Yeltsin, who missed the critical post-summit news conference, blithely lugged to his limousine by his bodyguards.

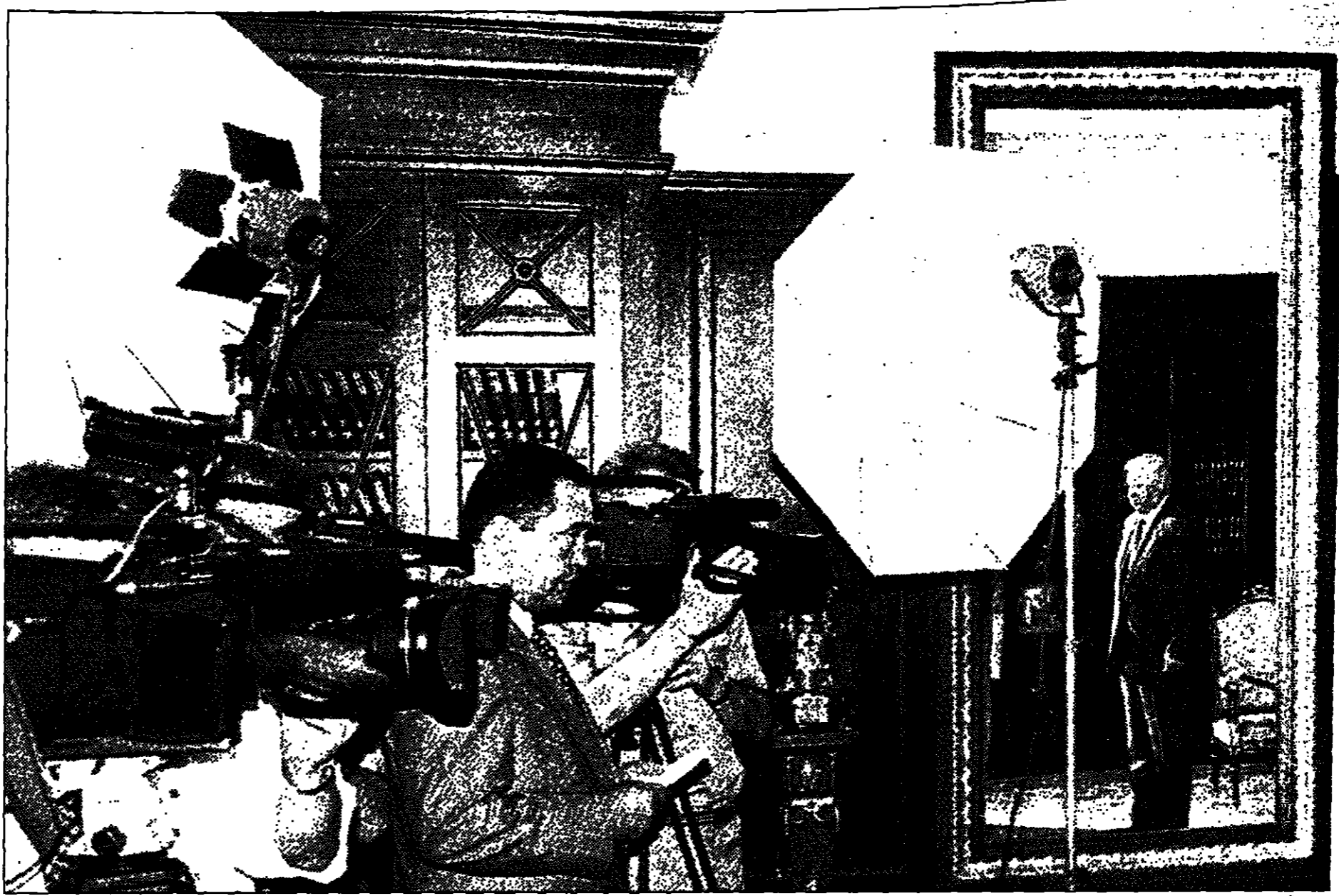
That day we both wondered about Boris Nikolayevich's liver. But now it turns out to be his heart, of all things, the heart that instinctively impelled him to his feet even four years before Communism fell, when he demanded the floor at a leadership meeting.

At that meeting, he complained to Mikhail Gorbachev that he had soon better walk his talk of perestroika reform or head for failure. Mr. Yeltsin was dropped like a stone from power. But he was among Russia's first party professionals to home in on the ballot box's power of revival when democratic voting later arrived. He was quickly elected back to prominence, and then power, by the people, who had to admire his heart.

"It is better to burn for 10 years than to smolder for 50," he had declared as a younger man when his heart trouble was first diagnosed and friends told him to retreat from the stress of his own rash ambitions. Alas, smoldering has seemed all too clear recently as President Yeltsin let his mandate drift like smoke across the carnage of Chechnya.

The Yeltsin heart: Damage to it across 65 years of life under Communism and beyond is presenting Russia with the latest variation in its perpetual cry of chaos. (Although it could just as equally be his decades of fat-crammed sausage and vodka-steeped gambols that are stirring the EKG's of capitalism.) From afar, it is fun to watch the latest generation of Kremlin schemers suddenly rebuffed by the American heart surgeon, Dr. Michael E. DeBakey, whose examination last week showed Mr. Yeltsin far from finished and a prime candidate to survive bypass surgery, now likely in November.)

Until Dr. DeBakey, the world had been left with



On Aug. 22, Boris Yeltsin (his image reflected in a mirror at right) appeared before news cameras as rumors circulated about his ill health.

what seemed traditional Kremlin fictions about how uncritical the situation actually is. Why, Yeltsin's been duck hunting and perusing dozens of documents a day, according to one account that seemed laughable. The day before Dr. DeBakey's visit, *The Financial Times* reported Mr. Yeltsin had been leveled by a stroke and could work but 15 minutes a day.

Aleksandr I. Lebed, the lean and hungry military hero President Yeltsin must keep in sight but at arm's length, even dared to offer intimations of Al Haig's I-am-in-control outburst to one Kremlin interviewer. "I have a plan," said Mr. Lebed.

If so, he should carefully note Dr. DeBakey's testimony that the patient may indeed have been up taking aim and shooting 100 ducks from the Russian firmament, as he claimed. In any case, said the doctor, Mr. Yeltsin remains vital enough to survive the scalpel.

Yeltsin fans watching in America felt reassured, remembering the spin-doctored puzzlement of his reelection campaign when he was seen frugging wildly before the voters one day and looking tight as Lenin's corpse the next.

History Is No Guide

When Leonid I. Brezhnev was fading ever so slowly from Kremlin power, his impatient successors overloaded his schedule to speed the terminal moment, according to some histories. And Konstantin U. Chernenko supposedly was prodded up from his Kremlin sickbed two weeks short of demise, dressed like a limp doll by a retinue, and carried to a prop voting place. There he was posed like a touch of Disney as propagandists recorded footage to depict a fully functioning leader.

er. So history, as much as eminent physicians, must be consulted at moments like this.

But this time it's different, right? If only because Boris Yeltsin has too often exuded a self-indulgent *joie de vivre* that he can't help sharing with the rest of us. He seems to smile in tight-eyed mischief much the way W. C. Fields did in hunting for that hidden nip of booze that will straighten everything out. He seems to deal with Russia the way Orson Welles treated an unfinished film epic, with a procrastinator's flair favoring the grander tour of life.

Surely Mr. Yeltsin is in that Kremlin line of succession of dark impudence exemplified by Nikita S. Khrushchev's turn on Mark Twain: "When I die, I shall inform all foreign correspondents myself."

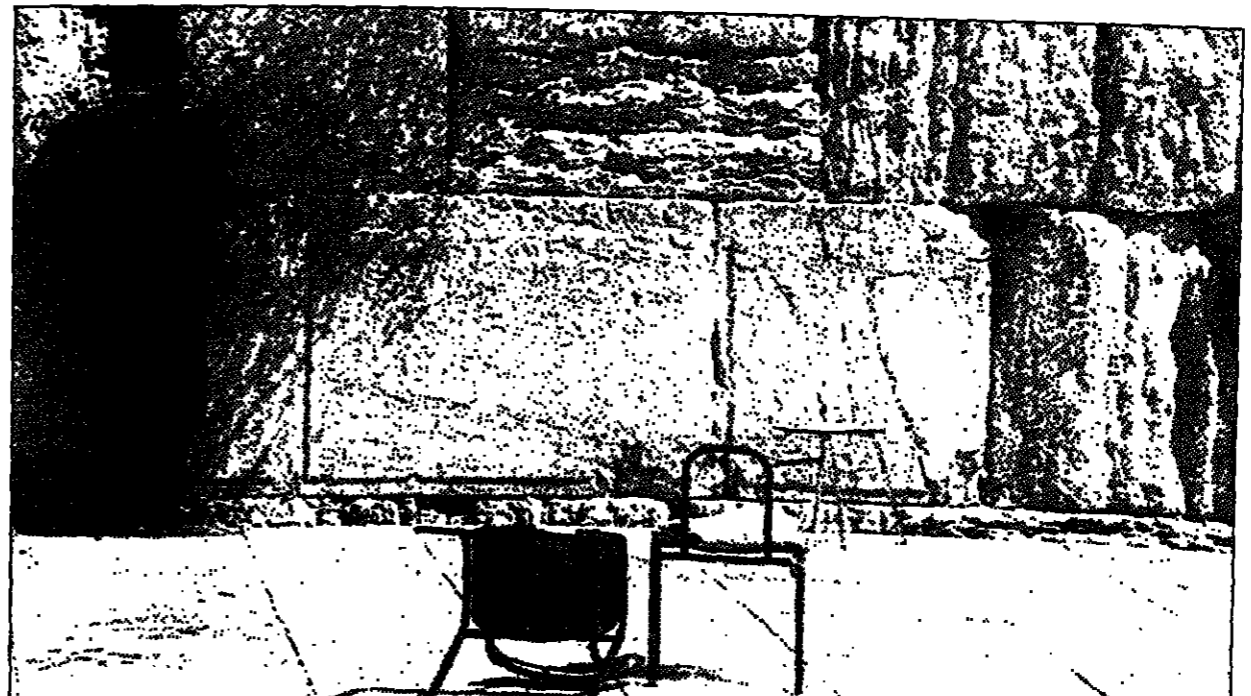
Yeltsin's heart: Fix it, get him frugging again, back to burning, not smoldering.

Israelis and Palestinians

Missteps Reopen a Door to Blood and Tears



An Israeli soldier returns fire toward a Palestinian at Rachel's Tomb in Bethlehem.



Police cleared the Wailing Wall when Arabs on the Temple Mount above it threw stones. One Jew stayed.

Continued From Page 1

but that was not the point. Opening the gate touched on the most sensitive points of the conflict, religion and Jerusalem, and the Palestinians were already angry.

So there was an explosion. What began as Palestinian rock-throwing escalated with astonishing speed into firefights between Israeli soldiers and Palestinian policemen. Scores of people died.

There is no certainty that Mr. Netanyahu appreciated the full import of opening the gate, or that Mr. Arafat expected what would happen when he called for protests. But the blowout that followed radically altered many preconceptions.

Chief among them was the presumption, often repeated by politicians and Western statesmen, that the peace was irreversible. Though everybody at some point or another warned that the other side was threatening the process, the warnings usually were taken as mere brinkmanship. The operative assumption was that whatever their histories or animosities, the Israelis and Palestinians had no alternative but to find a way to live together. Perhaps that was Mr. Netan-

yahu's presumption, too — that he could toughen up the terms, slow the pace, expand some settlements, and that Mr. Arafat would have no choice but to accept.

Mr. Arafat seemed caught in parallel presumptions. He threatened, he called for strikes and demonstrations, he toured world capitals searching for help, but only two weeks earlier he had called Mr. Netanyahu to wish him a happy Jewish New Year. There was little indication that he suspected that his own security forces would open fire on the Israelis.

Anger Adds Up

What perhaps even Mr. Arafat did not understand — accustomed as he was to a life of conspiratorial activity in the Palestinians' name and not to governing and listening to them — was that the signing ceremonies, handshakes and grand agreements could not undo the cumulative effect of a long and humiliating occupation.

This became especially true when the three years of relative peace was accompanied by greater restrictions on travel and work and by frustrated expectations. Mr.

Arafat had come to command 30,000 policemen, but the individuals in that force were also guerrillas who had only recently battled Israeli soldiers, or youths who had pelted Israeli patrols with stones. When a uniformed soldier in Ramallah saw a student felled by a rubber bullet, he took his rifle and started firing.

The peace was not yet dead at that moment, but nobody could argue any longer that it was politically impossible to turn back.

On the contrary, the struggle to sustain peace now looks to be a tough and uphill battle. Many an Israeli commentator noted last week, metaphorically and literally, that having opened the tunnel door, Mr. Netanyahu would not be able to close it. At his news conference Friday, Mr. Netanyahu certainly showed no inclination to make any conciliatory gesture, least of all closing the door. (The tunnel was shut over the weekend, but that was explained as a routine weekend closing, not a bow to the Palestinians.)

An unequivocally conciliatory gesture, said Mr. Netanyahu's media adviser, David Bar-Ilan, "would put (Israel's) very existence in the region in danger," by which he evidently meant that bowing before Arab

pressure would be seen as weakness and would unleash new and greater demands.

By the same logic, virtually any step now could be seen as weakness, and to many conservatives, the rioting itself — and especially the notion of Palestinian police using weapons that were meant to keep the peace among their own people to fire on Israeli troops — seemed to confirm their worst fears about the peace accords. How, for example, can Mr. Netanyahu now justify to his followers the withdrawal of Israel's army from Hebron, where a small enclave of Israeli settlers is surrounded by high hills and buildings that belong to Palestinians? In addition, by raising the question of Jerusalem in so stark and emotional a manner, Mr. Netanyahu has effectively undone the concerted efforts of Israeli and Palestinian negotiators to keep this most sensitive issue at bay until the peace is well underway.

'Sons of the Stones'

As for the Palestinians, the "sons of the stones" — as those who rose up in the 1980's call themselves — have crossed a fateful threshold in turning their new assault weap-

ons on the former occupiers; Israelis will have a hard time believing Mr. Arafat if he pledges that they won't do it again.

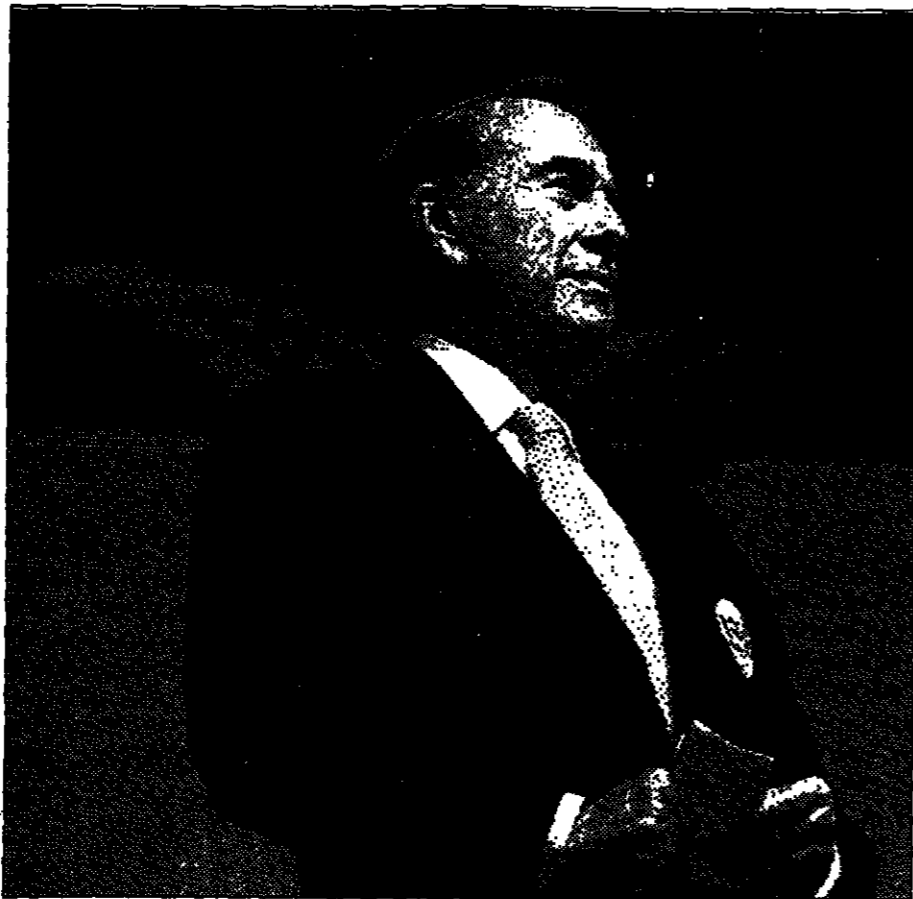
But if the peace can no longer be considered irreversible, it does have a constituency. Last week, it was not only opponents of the peace who shouted "I told you so." Many Israelis and Western leaders joined Mr. Arafat and former Prime Minister Shimon Peres in arguing that it was not the peace itself, but the efforts to stall or reverse it, that had led to the conflagration.

There were also those who thought that even if Mr. Netanyahu still saw the peace as flawed, at least the howling mobs, the bullets, the tanks and the helicopter gunships offered a clear view of the alternative.

A hundred days into his administration, Israeli commentators on both right and left noted, Mr. Netanyahu can no longer delay declaring his stance. The hawks called for a firm hand, the doves for concessions, the pragmatists for both. Only when Mr. Netanyahu declares his intention, wrote the newspaper *Maariv's* political columnist, Hemi Shalev, "will we understand whether he is capable of extricating Israel from the serious crisis in which it is caught."

صوتك من الامم

The Nation



Stephen Crowley/The New York Times



Paul Hestros/The New York Times

Campaign Appearances

The candidates ventured far and wide in search of votes last week. Bob Dole flew to West Palm Beach, Fla., on Thursday — no, not that way.

And no, President Clinton didn't face a stampede, but there were some heckling Dole supporters in the crowd at Fort Worth, Tex., on Friday.

Simpson Again, Race Again

By CAREY GOLDBERG

LOS ANGELES
A jury selection in O.J. Simpson's civil trial continued last week, the focus swung inexorably back to race — this time because Mr. Simpson's lawyers accused their opponents of systematically trying to exclude black people from the pool of potential jurors.

"This is the 10th black juror in a row challenged for cause," complained Robert C. Baker, Mr. Simpson's lawyer, in a particularly sharp exchange Wednesday. The implication was that lawyers representing the families of Nicole Brown Simpson and Ronald L. Goldman in a wrongful death suit against Mr. Simpson were trying to keep blacks off the jury because they were likely to be sympathetic to the defendant.

Daniel Petrocelli, a lawyer for Fred Goldman, Ronald's father, bristled. "I strongly object to these comments about disqualifying jurors over race," he said. "It's totally factual." Mr. Baker riposted, before Judge Hiroshi Fujisaki impatiently ordered the two lawyers to "cut it out" and "just sit down."

Once again, jury consultants and litigators noted, the O.J. Simpson case had ended up setting the American racial divide and its tricky territory in particularly clear relief.

Jury selection "is a little bit like the cliché about making sausages — it's best if you don't see how it's done," said Victor Gold, a professor at Loyola Law School here. "But in the Simpson case there are people watching every aspect of every move taken, and so it's impossible not to see race motivating both the defense and the prosecution."

The dirty little dilemma is this: At times, pretrial research shows, jurors' race can

Lawyers are fighting over the color of the jury. It still matters.

have a powerful effect on their verdict — as it did, most analysts agree, in the murder trial that ended in Mr. Simpson's acquittal last October.

But it is unconstitutional for a lawyer, in either a criminal or civil case, to challenge a potential juror — that is, to ask that the juror be knocked out of the pool of those who might serve — on the basis of race or sex. Even in their peremptory challenges, in which no reason for rejecting a juror need be given, if it can be shown that race was a motivating factor, that can be a basis for impeaching a whole new jury or for appealing the verdict later, jury consultants say.

"This is a very hot issue right now in jury selection," said David B. Graeven, president of Trial Behavior Consulting of San Francisco and Dallas. "Because one side will accuse the other of doing it and it goes both ways. The plaintiff accuses the defense, typically of getting rid of minorities, or, in a sexual harassment case, women, and the defense accuses the plaintiff of getting rid of white males."

So, what are the lawyers and jury consultants to do? The answer experts give is the dirty part of the dilemma: They generally try to use race or sex as a criterion, but pretend they are judging by other measures, however flimsy.

Any Reason at All

Wendy Alderson of Alderson and Associates, a jury consulting firm in San Francisco and Palm Springs, said she had seen one prosecutor who had two or three black jurors excused and, when accused of using racial criteria, claimed that it was because they had been wearing blue jeans and thus showing disrespect for the court. "You can always find something," Ms. Alderson said.

Duplicity aside, however, jury consultants add that race is not all that reliable a predictor anyway: "You've got to go by each person," Mr. Graeven said. "You can't determine a jury in a typical civil case based only on race or demographics. It's attitudes and belief systems."

Attitudes also appear to be paramount in the Simpson jury selection as Judge Fujisaki decides which jurors to dismiss "for cause" — that is, for apparent biases.

It has struck many casual observers as strange that jurors who have openly acknowledged thinking that Mr. Simpson is "probably guilty" of the double murder have been allowed to stay in the pool, while some who have said they thought he was innocent have been dismissed.

But lawyers and consultants say that it is not so unusual. A juror may have formed an opinion, said Norman Garland, a professor at Southwestern University School of Law, "but as long as the juror says, 'Yes, but — I know all that, but I promise you I won't let it interfere with my decision-making process,'" the court may accept him.

If, however, a clear pattern develops of black potential jurors being dismissed, legal observers said, that could well be grounds for an appeal that would become the sequel to this civil-court sequel of the murder trial — O.J. III.

Fears and Jitters

One Man's October Surprise . . .

By JAMES BENNET

WASHINGTON
FROM a historical perspective, the biggest October surprise in this Presidential campaign could well be if there actually is one.

The bogymen of front-runners and the fantasy of laggards and antsy journalists, an October surprise — a bolt of news upending the race — could include anything this year from an economic jolt to a disaster in Bosnia to an indictment of a Clinton Administration official, or even of a Clinton. At least so speculate the bored journalists, the Clinton aides who are nervous or superstitious and, most fervent of all, the Dole campaign officials.

But Alan Brinkley, a professor of Ameri-

Underdogs and bored journalists look for a last-minute news jolt.

can history at Columbia University, had to cast back to the last century for an example of such a surprise. "Lincoln's re-election seemed in real doubt in the spring," he said, "and the changing course of Union fortunes in battle insured his victory."

Still, even that turnabout failed to qualify as a genuine October surprise, he said; those changed fortunes were cemented by the fall of Atlanta — on Sept. 2, 1864.

Professor Brinkley sounded rather un-

surprised that a journalist was inquiring about surprises. "I've never seen such a desultory campaign, and journalists themselves seem so desperate for something to write about," he said. "No offense."

One Clinton aide pointed out that a surprise could benefit the President, who has already, Dole officials grumble, had his share of political breaks, including more good economic news last week. Some surprises that have cropped up late in campaigns have merely confirmed the course of the election.

In October 1972, for example, Henry A. Kissinger declared that "peace is at hand" in Vietnam. But President Nixon was not exactly in dire need of a boost in the polls against George McGovern, who lost by a landslide.

The term "October surprise" dates from the 1980 election, when Ronald Rea-

gan and his aides worried that Jimmy Carter would pull off a coup by springing the hostages in Iran before the election. He didn't, of course, and some analysts have tried to prove, so far inconclusively, that the Reagan campaign had a hand in thwarting him.

Indeed, while history offers few actual October surprises, it does present some tantalizing might-have-beens. In 1940, Wendell Willkie warned that Franklin D. Roosevelt had a secret deal with the British to enter the war. But he never presented any evidence, said Michael R. Beschloss, a historian of the Presidency.

"One could say that if the full extent of Roosevelt's dealings with the British, and particularly with Churchill, had been revealed, it would have changed the course of the election, and Willkie would have won," Mr. Beschloss said.



Wide World Photos

Wendell Willkie, Presidential candidate in 1940, warned that Franklin D. Roosevelt had a secret deal with the British to enter the war.



The New York Times

Henry A. Kissinger, President Nixon's Secretary of State, declared in October 1972 that "peace is at hand" in the Vietnam war.



The New York Times

The efforts of Jimmy Carter to free hostages in Iran in 1980 worried the Reagan campaign staff, who feared the President would pull off an October surprise.

... Is Wall Street's Nightmare

By FLOYD NORRIS

IN the financial markets, as in election years, there have been more than a few October surprises, although they do not necessarily have political overtones. The worst recent surprise, of course, came in 1987 when the stock market crashed. That month ended with the Dow Jones industrial average down 23.2 percent, and investors in shock.

1929 and All That

That plunge brought back memories of other bad Octobers, notably in 1978 and 1979, when the term "October massacre"

became part of bond market lingo. In both years the Federal Reserve suddenly, and to the consternation of Wall Street, raised interest rates sharply. Bond prices plunged, and stock prices suffered along with them. And, of course, the 1929 crash started in October.

But even though most Octobers have not been so eventful, investors do have reason to be concerned: The average October, going back to World War I, has seen the Dow dip a bit. That tendency, it should be noted, is not particularly useful in forecasting Septembers, on average, been worse. But this September, with one trading day left, is up more than 4 percent.

Just why prices are most likely to fall in the fall is not apparent. But it is clear that

Don't believe the hype. September is the month to watch.

spirits generally pick up after the leaves come down. The months when rising stock prices are most likely are December and January.

None of the really bad Octobers have been in Presidential election years, perhaps because politicians try to avoid economic upheaval close to an election. But

four of the past five election-year Octobers have seen stock market declines, with 1988 being the only exception.

The worst election-year October, as far as stocks were concerned, occurred in 1932, when the already depressed Dow fell 13.2 percent as it became clear to horrified Wall Streeters that the Democratic nominee, Franklin D. Roosevelt, was likely to win.

The best election-year October, on the other hand, came in 1948, when it was apparent to everyone, on and off Wall Street, that the Democrats were finally going to be thrown out of the White House. The Dow rose 5.8 percent that month, only to drop 9.2 percent in November, when the biggest election surprise of all came to pass: Thomas E. Dewey lost.

and Tears



The Nation

Presidents and Pardons: It's Asking for Trouble

By STEPHEN LABATON

WASHINGTON
 IN an era of White House scandal and its pursuit by independent counsels, a new kind of election year ritual has emerged: the Dance Around the Presidential Pardon.

It happened in 1988, when Ronald Reagan refused to rule out the possibility of pardoning Oliver L. North and John M. Poindexter before their trial on Iran-Contra charges. (Mr. Reagan ultimately decided not to pardon them.) It happened again four years later, when President Bush was angered at the pre-election indictment of former Defense Secretary Caspar W. Weinberger in the same scandal. (After his defeat he granted Mr. Wein-

Clinton talks, perhaps too much, about the Whitewater defendants.

berger and five others clemency.) Last week, Bill Clinton was asked about pardons. In several interviews, he made clear that he had not ruled out the possibility of pardoning his former Whitewater partners in his second term. One of those partners, Susan McDougal, sits in an Arkansas jail for refusing to answer questions before a Federal grand jury about the veracity of President Clinton's own recent testimony. The other partner, James B. McDougal, has had his sentencing postponed while he is debriefed by investigators in the hope of getting lenient treatment.

The President had earlier this year drawn criticism when he offered to help raise money for the legal bills of some aides. Then, on Monday, Mr. Clinton appeared to go out of his way to dangle the prospect of pardons.

"My position would be that their cases should be handled like others," he said on The NewsHour with Jim Lehrer, who had asked whether he would consider pardoning the McDougals. "There's a regular process

for that, and I have regular meetings on that, and I review those cases as they come up and after there's an evaluation done by the Justice Department. And that's how I think it should be handled."

To his critics, the process described by the President was not the complex calculation worked out at the Justice Department in most clemency cases, but one much simpler: Shut your mouth and you get out of jail.

Congressional Republicans filed a joint resolution urging Mr. Clinton to disavow any intention to pardon his former partner. And in a letter to the President, more than 170 House members, Democrats as well as Republicans, noted that "even the hint of a possible pardon smacks of interference on your part in the important work of the independent counsel."

Still, even if the President was trying to hint to witnesses to keep quiet until Election Day, his remarks alone would not come close to the level of obstruction of justice or witness tampering, legal experts said.

The Constitution gives the President broad and virtually unrestricted authority to issue pardons. And raising money for the defense of others is a common practice: Corporations pay for the legal bills of their officers all the time.

"Because raising defense money and issuing pardons are both legitimate, mere winks and nods are not prosecutable," said Gerard E. Lynch, a former associate counsel in the Iran-Contra investigation who is now a professor of criminal law at Columbia University. "Short of the most smoking of smoking guns, the idea that this is tampering or obstruction is really silly."

'Not Appropriate'

Other legal scholars said Mr. Clinton should not have even hinted at pardons, because that is almost bound to have an effect on an investigation that touches him directly. Indeed, in the past, Mr. Clinton has refused to comment "when asked about matters under investigation, including Whitewater."

"It's not appropriate for the President to leave open the door of pardons because it could affect the investigation," said Yale Kamisar of the University of Michigan School of Law. "His remark about the pardon was studied ambiguity. But it was inappropriate. Either he should have said he couldn't comment or he should have ruled it out entirely."



Susan McDougal, center, flanked by her lawyers, refused to cooperate with Whitewater investigators.

In any event, the McDougals do not appear to meet the Justice Department guidelines on executive clemency, which the White House has agreed to follow. Those provide that "generally, commutation of sentence is an extraordinary remedy that is rarely granted."

And as President Ford learned after pardoning Richard Nixon, granting clemency can have unpalatable political consequences. The pardon played a role in Mr.

Ford's defeat two years later.

Congress, too, has an ultimate remedy.

"A President who exercises his pardon power corruptly is politically vulnerable, and not just in the pedestrian sense of the word politically," said William W. Van Alstyne, a constitutional scholar who teaches at Duke University School of Law. "It is plausible that Congress could retaliate by impeachment."

Looks Aren't Everything

But Don't Sweat or Be Too Short

By ELIZABETH KOLBERT

ONE week from today, Bill Clinton and Bob Dole will meet for the first Presidential debate of the season. The Dole campaign has all but conceded that Mr. Clinton has superior verbal skills. But Americans will not merely be listening to the two candidates but watching them stand side by side.

And so as voters weigh the candidates' positions on Bosnia and the deficit and on whether movies corrupt the young, they will also, inevitably, be deciding who looks the part of President.

Quite simply, looks matter in modern American politics. Political folklore has it that it was Richard Nixon's five o'clock shadow that cost him his first debate with John F. Kennedy and, potentially, the 1960 election. In 1976, Gerald Ford's aides insisted on a neutral background for debates to camouflage the President's thinning gray hair. And in 1988, George Bush, it is widely claimed, vanquished Michael S. Dukakis with a simple post-debate handshake, a gesture that showcased the six-inch stature gap between them.

"Half to two-thirds of what people take away is visual rather than verbal," said Steven P. Lombardo, a Republican pollster. "It's huge."

Big Ears, Bad Hair

While it is tough to isolate the impact of big ears, bad hair and facial ticks on an election, that doesn't stop campaigns from trying. Often they devote substantial resources to analyzing the non-verbal signals their candidates are sending out.

Focus groups are asked questions like: How would you describe the candidate to someone who was meeting him for the first time in a hotel lobby? On occasion, they may be shown video images of the candidate with the sound turned off. Routinely they are asked to watch news clips of the candidate and then free associate.

A sign of how much weight campaigns give to such voter impressions is the effort made by candidates to revise their self-presentations.

During the 1988 Presidential primary campaign, for example, Representative Richard Gephardt took a pencil to his ghostly eyebrows to give them more definition. During the same campaign, an adviser to Bruce Babbitt recommended he do "eyebrow pushups" to gain control of his sometimes ungainly facial expressions. Mr. Bush reportedly tried to exchange his karate-like hand gestures for a more Presidential-looking set.

More recently, aides to Mr. Dole have advised him — with modest success — to smile more. Mr. Clinton, meanwhile, has been trying — also with modest success — to lose weight.

The political potency of traits like facial expression and weight, mannerisms and eyebrow color reveals, once again, television's power to shape voters' perceptions. An often-told story about the first Nixon-Kennedy debate demonstrates this point succinctly: Polls showed that those who had listened to the debate on the radio thought Mr. Nixon, who was not only ill-



In 1988, George Bush and Michael S. Dukakis showcased their six-inch stature gap.

shaven but also sweating, had won. But those who had seen it on television gave the win to his more clean-shaven, cool opponent.

Clearly we are still very much in the television age, though we may be moving to a new phase of it.

This year, for the first time since the advent of television, a major party candidate is running for President with an obvious physical disability: Mr. Dole's right arm, injured in World War II, hangs uselessly by his side. Because of the ubiquitous television camera, it would be impossible for Mr. Dole to hide his disability from the public, as Franklin D. Roosevelt hid polio's toll on his body 50 years ago. Moreover, Americans' attitudes toward disabilities,

Some say that in 1960 Nixon's five o'clock shadow did him in.

and toward the candidates' privacy rights, have changed dramatically since then.

These days, many people believe that Mr. Dole has successfully converted his disability into a political plus — a symbol of adversity overcome. "It's become a profile in courage," said Darrell West, a professor of political science at Brown University.

Americans have been watching television for so long now that they are alert to how manipulative it can be. And so, it now seems possible for un-photogenic traits to be interpreted as signs of authenticity.

Consider Ross Perot. If looks could kill a candidacy then Mr. Perot — short of stat-

ure and large of ear — surely should have been dead politically. But for a time in 1992, Mr. Perot topped both President Bush and Mr. Clinton in the polls, and he finished with 19 percent of the vote. His looks, some argue, were actually part of his appeal, reinforcing his message that he was no slick Washington politician.

Perhaps taking a cue from Mr. Perot, Senator Phil Gramm of Texas often joked about his own homeliness during this year's Republican primaries. "Can an ugly man be President?" he used to ask. "We'll see." Mr. Gramm did not win the nomination.

"We kind of live in a confessional era," Mr. West said. "So as long as you admit to the problem, you can defuse it."

Conversely, Mr. West noted, strengths, including handsomeness, can turn into problems. "Clinton sometimes has had a problem with the blow-dried look," Mr. West said.

This perception of Mr. Clinton as too-telegenic-to-be-real was one that Mr. Dole's aides spoke openly about exploiting earlier this year. Mr. Dole, they acknowledged, was not nearly as adept as Mr. Clinton at communicating via television, but they argued, Mr. Dole's stiffness could make Mr. Clinton appear unctuous by comparison.

The Slicker Horse

"The other horse is a little slicker," Mr. Dole himself liked to say. "But you know I'm steady."

These days, however, with Mr. Dole lagging far behind in the polls, hardly anyone is touting the advantages of dourness.

Indeed, George Stephanopoulos, a senior adviser to the President, urged voters to go home and try a little non-verbal research on their own. "If you turn the sound off," he asked, "which one of these men is the most optimistic man in America?"

Is Clinton a Liberal? Compared to Whom?

Continued From Page 1

But after seeing many so-called "Reagan Democrats" defect again in 1994, Mr. Clinton, whether cynically or pragmatically, began behaving more like a Republican. His biggest departure from traditional liberalism was his signing last month of the new welfare law, which critics fear will be devastating to children but which the President said was the best he could get from a Republican Congress. This month, he signed the Defense of Marriage Act, widely viewed as an assault on the rights of homosexuals.

Like Nixon?

Given that record, calling Mr. Clinton a liberal these days could be likened to calling Richard M. Nixon a liberal: a case can be made, but it does not easily stick. Despite his reputation as the hard-edged partisan who tried to weed out Communists, Mr. Nixon proposed universal health coverage and a guaranteed minimum income for all Americans, and he created the Environmental Protection Agency.

"If you peeled away Nixon's paranoia, basically I'd say they're not so far apart," Walter Dean Burnham, a professor of government at the University of Texas at Austin, said of Mr. Clinton and Mr. Nixon. As for Mr. Clinton, he said, "He's an Eisenhower Republican, brought up to date, of course."

Such a depiction would no doubt infuriate Mr. Dole, who fancies himself a disciple of the President from Kansas. He is so determined to brand his opponent as a liberal (he uttered the word 14 times in one speech last week) that Mr. Dole risks undermining his campaign's drive to depict the President as unprincipled. "These are not actions of a finger-in-the-wind politician that's waiting for the polls," Mr. Dole declared last week, reminding voters of the early Clinton White House. "These are the actions of an old-style, dyed-in-the-wool, big-spending liberal."

Yet one goal of the liberal offensive is to implicitly resurrect the character issue by saying, in essence: You can't trust what Mr. Clinton now says about smaller Government because he called for raising taxes.

To reinforce the message in New Jersey and in other battleground states, the Dole campaign is running a new commercial with this ending: "The real Bill Clinton? A real spend-and-tax liberal." Congressional candidates have also taken up the message. One commercial that appears over and over in New Jersey warns of Bob Torricelli, who is running for the Senate: "When it comes to taxes, Torricelli is liberal to a T."

But is a liberal today the same as a liberal in 1960? Politicians deserve to be judged in the context of the times. After all, some conservatives grumbled that George Bush was "too liberal" to be Ronald Reagan's running mate in 1980. (Eight years later, the same Mr. Bush assailed Mr. Dukakis's foreign policy views as "born in Harvard Yard's boutique.") And on the floor of the 1960 Democratic convention, an official of Americans for Democratic Action assailed John F. Kennedy as "double-crossing the liberals of the country" by picking Lyndon B. Johnson as his running mate.

So while the President might seem liberal next to Speaker Newt Gingrich, so might Mr.

Dole, who has championed his share of tax increases over the years. Thus, although Mr. Clinton worked for George McGovern's Presidential campaign in 1972, it is hardly fitting to describe him and Hillary Rodham Clinton, as Mr. Gingrich once did, as a "counter-culture McGoverniks."

"They're going back to the arguments of the 60's, 70's and 80's," said Mr. Ickes, whose father, Harold L. Ickes, was Interior Secretary in the Roosevelt Administration. "I'm not sure that means a lot in the context of the 90's, and certainly in the context of the last three years. What's much more persuasive to voters is: are you mainstream or are you radical?"

Scott Reed, Mr. Dole's campaign manager, suggests that Mr. Clinton is a radical. Speaking of the President's departed political adviser, Dick Morris, who helped yank him rightward, Mr. Reed said: "Dick Morris tried to set up a smoke screen for Clinton to hide behind in the last 18 months — we plan

Actually, 12 percent of voters think Clinton is conservative.

on driving a truck right through it. There's nothing wrong with Bill Clinton being a liberal. It just happens to be the minority view of Americans."

That may be so, but the predicament for Mr. Reed is that voters are divided, if not confused, over Mr. Clinton's ideology. The latest New York/Times CBS News Poll found that 43 percent perceive him as a liberal; 36 percent as a moderate and 12 percent as a conservative. Before the 1992 election, a Times/CBS survey found that 38 percent considered him a liberal, 37 percent a moderate and 13 percent a conservative.

Most confounding for Mr. Dole is the President's usual ability to convince voters of all stripes that he is one of them: the latest Times/CBS poll found that 50 percent of self-identified moderates — the voters that Mr. Dole most needs to win over — say Mr. Clinton is also a moderate. And 46 percent of liberals say Mr. Clinton is liberal. Mr. Dole is a conservative, and the overwhelming proportion of moderates agree with that.

Another reason Mr. Dole may have trouble affixing the liberal label is that voters realize that in the current fiscal climate there is virtually no way for a President to take up where Mr. Roosevelt left off with costly new social programs. And as times have changed, so has the definition of liberalism: Buchanan might a few generations ago have been considered liberal.

Whatever its history, Mr. Dole knows that the term liberal is now considered accusatory and has, in the words of Arthur Schlesinger Jr., a "proud and unrepentant liberal" and an adviser to President Kennedy, "fallen in disrepute." In the same fashion, no Republican during the primaries dared call himself a "Rockefeller Republican." That's dangerously close to calling oneself a liberal, too.

ECONOMY

When a Magazine is Too Brash for the Bottom Line

By ROBIN POGREBIN

AS Kurt Andersen remembers it, he was having fruit and cereal last February in the private dining room of the 42d-floor office where Henry R. Kravis runs his leveraged buyout firm. Mr. Andersen, who was then editor in chief of New York magazine, says Mr. Kravis's breakfast message was clear: Consider killing a story about the rivalry between Felix G. Rohatyn and Steven Rattner, two of Wall Street's most powerful investment bankers.

Mr. Kravis is a partner at Kohlberg Kravis Roberts & Company, which controls New York's parent, the K-III Communications Corporation; so his opinion mattered. Although Mr. Kravis declined to be interviewed for this article, Mr. Andersen described their conversation this way: "He didn't want the piece to run. He said K-III and K.K.R. need relations with the investment banking community to be untroubled and robust."

It wasn't a suggestion that Mr. Andersen could dismiss lightly. Nevertheless, he dismissed it. Later that day, he briefed Harry A. McQuillen, the executive vice president of K-III and president of the media group, and told Mr. McQuillen he planned to run the story anyway. "He said, 'Absolutely do what you have to do,'" Mr. Andersen said. (Mr. McQuillen said he did not recall the conversation.)

The story was published in the March 11 issue, and while Mr. Kravis never mentioned it to him again, Mr. Andersen believes the financier did not forget it. In the months that followed, Mr. Kravis made his displeasure known to Mr. Andersen about other articles in New York, which K-III bought from Rupert Murdoch in 1991. And in late August, the New York editor was dismissed. While the official word was dissatisfaction with circulation numbers, Mr. Andersen and many of his colleagues said that Mr. Kravis was the not-so-invisible hand wielding the hatchet.

"The firing of Kurt Andersen is the kind of thing that sends a chill throughout magazine journalism," said David Denby, *New York magazine's* longtime film critic.

New York City's publishing and journalism circles seem to be learning the hard way what Wall Street has known all along: For Mr. Kravis, master of the deal, New York magazine is no big deal. He may like having it as the brightest media star in the K-III constellation of mass-market consumer magazines, which includes Seventeen and Soap Opera Digest, but he is not going to bend his investment principles or abandon his friends just to indulge its celebrity editor.

No matter that New York magazine's national political columnist, Jacob Weisberg, and its news editor,

Larry Doyle, have quit in protest or that the business columnist, James J. Cramer, says he will join the minutely when his contract is up. And let the media community engage in all the collective hand-wringing that it wants. With K-III's stock languishing at around \$10 a share since it went public a year ago, Mr. Kravis will do whatever it takes to get the price up and get out with some juicy profits.

Indeed, he is enforcing the same dictum for New York and its sister publications that increasing numbers of once-independent newspapers, magazines, television news shows and publishing houses are hearing from the giant corporations that have swallowed them up: make your numbers or else.

Mr. Kravis's main objective is to make money, lots of it — and he has a pretty good track record so far. That is why he put part of Kohlberg Kravis's treasure chest behind K-III (Mr. Kravis's firm owns 73 percent of the company), which seeks to buy solid properties on the cheap, improve their performance and then sell them at a profit.

In the two and a half years since Mr. Andersen joined New York, the magazine, for all its success in winning over younger readers with its edgy tone and provocative subject matter, apparently fell short of K-III's goals. The company had hoped to reach an average weekly circulation of 435,000 to 440,000, Mr. McQuillen said; instead, Mr. Andersen had brought it up to just 425,000 from 415,000.

"Basically, we felt that at this point, the book could use a change in editorial direction," said Mr. McQuillen, who oversees K-III's magazines. "Kurt had done some good things with the magazine, but when all is said and done we didn't get as big a lift as we would have liked."

For all the attention New York brings to K-III, it is, in the financial scheme of things, almost inconsequential, representing less than 2 percent of the company's operating profit and trailing in circulation the company's lower-profile publications that have broader national appeal, like *New Woman*.

"It's too small to affect what I do," said Phelps B. Hoyt, a fixed-income analyst with KDP Investment Advisors who follows K-III's public bonds. "This falls way below my radar screen."

K-III officials say the company makes slightly better profit margins on some of its less sexy trade publications — like *National Hog Farmer* and *Adhesives Age* — as well as on some of its holdings in other areas, like Channel One, the school satellite network, and Pacific Shipper, a directory of shipping schedules for freighters.

"Out here in Montana, I wouldn't know what's going on with New York

magazine," said Chuck Hunter, an investment research manager with the Montana Board of Investments, the state pension fund, which is an investor in the Kohlberg Kravis funds that own K-III. "Our ignorance is almost complete."

Given New York magazine's modest financial stature relative to K-III's entire portfolio, and its disproportionate potential for upsetting Mr. Kravis's friends, some people may wonder why K-III holds on to the property. Indeed, when asked if he ever thought about simply dumping New York, William F. Reilly, K-III's chairman and chief executive, replied, "I've been tempted from time to time."

In reality, Mr. Reilly understands the value of having a high-profile magazine like New York in K-III's stable: it gives the company added clout among advertisers, credibility on Wall Street and cachet in the media community. "It's a door opener," Mr. Reilly said.

But if the magazine is essentially window dressing for one of Kohlberg Kravis's most visible properties, Mr. Kravis is clearly the one who decides how the goods are displayed.

And while Mr. Kravis can be expected to care little about stories in K-III magazines like *Modern Bride* or *Fleet Owner*, what New York magazine publishes matters deeply to him. "These are his friends," said a former K-III employee who insisted on anonymity. "This is what he cares about, this is where he lives."

Aside from the piece on Mr. Rohatyn and Mr. Rattner, the articles in New York that Mr. Kravis is said to have found objectionable include one last January on money laundering by the Russian mob that raised questions about the role of Republic National Bank, which is controlled by Edmund J. Saffra, the former American Express executive. Another was a feature in March about "walkers" who escort New York's wealthy women around town; one of the walkers was Mr. Kravis's friend Oscar de la Renta, who helped the financier's ex-wife Carolynne Roehm get her start as a fashion designer. Mr. Andersen said Mr. Kravis himself called to relay the displeasure of Mr. de la Renta's wife, Annette, in response to the piece.

Some suspect the final straw was last month's lead story on Bob Dole, which depicted the Presidential candidate with his eyes closed on the cover next to the headline, "Bob Dole, Wake Up!" and identified Mr. Kravis as one of Mr. Dole's wealthiest New York contributors.

This is not the first New York magazine regime to feel the heat from Mr. Kravis. According to writers at New York and one K-III executive, all of whom insisted on anonymity, Mr. Kravis once phoned Edward Kosner, Mr. Andersen's predecessor, and asked him to yank an article on Leon Black, the former Drexel Burnham Lambert executive.

Mr. Kosner, now editor in chief of *Esquire* magazine, said that he did not recall a call from Mr. Kravis but that the story had stalled because both Mr. Kravis and Mr. Black refused to discuss a deal they were negotiating.

The author of the article on Mr. Black, Craig Horowitz — who is still a contributing editor at New York — said the piece was killed because of pressure from Mr. Kravis, but declined to discuss the circumstances.

According to a high-ranking K-III employee, Mr. Reilly was disappointed by what he viewed as Mr. Kosner's cave-in to Mr. Kravis. Indeed, Mr. Reilly, by all accounts, does his best to play middleman and mollify both sides. While he shares Mr. Kravis's attention to the bottom line, he has also repeatedly sought to protect Mr. Andersen from Mr. Kravis's opinions.

While Mr. Reilly declined to discuss his role as a buffer, Mr. Andersen said that Mr. Reilly and Mr. McQuillen frequently ran interference between him and Mr. Kravis, though not always successfully. "Henry Kravis was always on them, always unhappy," Mr. Andersen said. "They filtered as much of that as they could to prevent him from calling me. Harry would say, 'You've got to do what's right journalistically. We'll take care of Henry.'"

But in the end, Mr. Reilly and Mr. McQuillen said, they did not dismiss Mr. Andersen at Mr. Kravis's direction. "He never asked me to fire Kurt and he never asked me to pull a story," Mr. Reilly said.

Rather, K-III executives maintain, Mr. Andersen simply failed to meet K-III's financial expectations — an exacting standard of which other K-III editors are well aware. "You're not working for executives who are former editors or publishers," said Caroline Miller, the editor in chief of Seventeen magazine who — along with New York's executive editor, Michael Hirschorn — is a leading candidate to succeed Mr. Andersen. "They are not people who have done your job before or would like to be doing it or who want to tell you how to do it."

"That gives me a tremendous amount of freedom. But it's completely understood that if the magazine doesn't perform well, changes will be made."

(Richard Babcock, the editor of K-III's *Chicago* magazine, has been serving as acting editor in chief.)

Mr. Andersen said his magazine was performing well, that he had done exactly what the company originally asked him to do, and been given nothing but positive feedback from his bosses.

He said his mandate was to reduce the median age of readers and "give the magazine some edge," a talent Mr. Andersen had honed as an editor of *Spy* magazine.

"There was never any discussion with me or the publisher of, 'We've



Henry R. Kravis

invested this money and we expect a return on it to this extent," Mr. Andersen said.

Indeed, staffers at New York magazine say K-III's party line seems wholly unconvincing. "None of the reasons that they've given make any sense," said Mr. Doyle, the former news editor. "They knew we were going to have to shake off older readers to get younger ones — if they didn't know that, they are morons. The same people who watch 'Murder She Wrote' don't watch MTV."

By most industry standards, New York was doing well enough. For the six months that ended in June, its total average paid circulation was 433,832, up four-tenths of 1 percent from that period the year before.

In addition, the number of ad pages had increased slightly to 1,176 for the six months that ended in June, up from 1,152 for the period in 1995, and ad revenue increased 4 percent in that period, to \$23.3 million, according to the Publishers Information Bureau.

The magazine also had a cash operating profit of about \$6 million on revenues of about \$30 million under Mr. Andersen, said someone close to the publication's operations. Moreover, Mr. Andersen points out that during his first year at the magazine, in 1994, newsstand sales were up about 20 percent over all, and that the circulation of subscription-driven magazines like New York tends to move less sharply than those driven by newsstand sales.

Given those numbers, Mr. Andersen said he could not help but feel blindsided by K-III's decision to oust him before his \$500,000 annual contract — including a \$110,000 bonus — was up in February.

Even some advertisers are scratching their heads. "I guess what I don't understand is that things seemed to be going well," said Roberta Garfinkle, the director of print media at the advertising agency McCann-Erickson. "The circulation was up a little bit, ad pages were up a bit. In this economy, that would appear to be a good sign."

Not good enough for K-III. The company contends that it sounded the alarm bells loud and clear early on, but Mr. Andersen didn't seem to hear them. "Over the last six to nine months, all key barometers took a negative turn," Mr. McQuillen said. "Newsstand was off 8 percent; the insert cards in newsstand copies and subscription copies were off 10 percent; renewals were off by 9 percent."

Although New York had seen a jump in readership among 17- to 25-year-olds, the core readership among 40- to 50-year-olds had begun to defect, he noted. "Readers were leaving the book," Mr. McQuillen said. "The core readership was diminishing, even though we were getting a group of younger readers. Our hope was for the book to do both."

In addition, two K-III focus groups last April, of about a dozen people each, indicated that some readers were disillusioned with the magazine. They wanted more stories about New York, more service-oriented pieces and a less nasty tone in the magazine. And New York's spring direct-mail campaign — a solicitation of new readers through junk mail — was disappointing.

To be sure, the K-III empire has not exactly been a runaway success. The company is highly leveraged, and its stock performance — shares

closed at \$10.375 on Friday, up barely from its initial price of \$10 on Nov. 1, 1995 — makes some people wonder whether Mr. Kravis showed his usual savvy in putting about \$800 million into K-III. It is hard to imagine Kohlberg Kravis making the same kind of return it reaped this month on the sale of Duracell International Inc. to the Gillette Company: more than \$3 billion in profits from a \$350 million investment.

"What the New York magazine thing says is that K-III has yet to be a particularly successful investment for KKR," said one investment banker who follows the company closely and spoke on the condition of anonymity. "KKR has not made a significant amount of money on this investment yet and it is a very large one for them. Therefore, there is a high state of nervousness and agitation around K-III."

Investors who participated in leveraged buyout funds put together by Kohlberg Kravis in 1987 and 1993 bought stakes in K-III before it went public and paid about \$6 a share. With the stock at \$10, they have a slim paper profit, far below what investors typically expect from such high-risk investments. What's more, if Mr. Kravis's investor group, as the majority owner of K-III, tried to take profits by reducing its stake, it would never realize that modest gain because the public investors would feel abandoned and bid down the stock.

But others think Mr. Kravis is on the mark. Media conglomerates are hot these days, precisely because so many investors see huge profit potential in the supposedly synergistic interplay among entertainment, information and cyberspace.

Despite the stock's recent sluggishness, K-III has been generating impressive cash flow since Mr. Reilly and two fellow executives left the Macmillan Inc. publishing house in 1989 to start K-III with Kohlberg Kravis's financial backing.

K-III's free cash flow — a measure of profitability calculated by taking net earnings and adding back interest, taxes and noncash charges like depreciation and amortization — has grown more than 30 percent a year since then, to \$216.1 million last year. Sales surpassed \$1 billion in 1995, up from \$845 million in 1993; Mr. Reilly projects they will triple to nearly \$3 billion by the end of the century.

"This is a good management team," said John A. Canning, Jr., the president of Madison Dearborn Partners, a private equity investment company in Chicago, another Kohlberg Kravis backer. "K.K.R. knows what they're doing on this one."

Even K-III's patchwork of properties seems to make Wall Street happy. In a seven-year acquisition binge, it has amassed more than 400 product lines across 15 different businesses, including 125 magazines. Recent purchases have included 14 Cahners consumer magazine titles, including *American Baby* and *Sail*, for an estimated \$180 million, and Westcott Communications, the nation's largest producer of national training courses broadcast by satellite, for \$422 million.

"Over all, I like the prospects because they have so many things that are unique niches," said Mr. Hoyt of KDP Investment Advisors. "The more diversification, the less chance of a surprise negative."

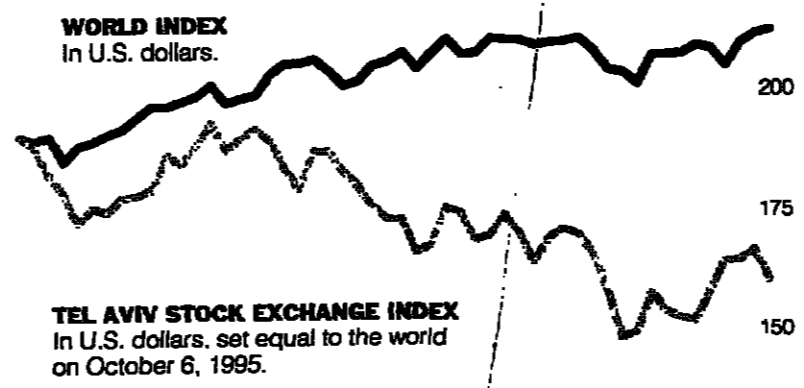
That sort of analysis does not hold much water with some investors and media types. They worry that K-III's hodgepodge of holdings reflects a lack of purpose. "They have not entirely figured out the thrust of their company — whether they want to own a series of trophy properties or a bunch of lesser-known, cash-cow-type things," said someone at another publication who is familiar with K-III and insisted on anonymity.

Not surprisingly, New York magazine staff members cringe at the owners' bottom-line imperatives, calling them misguided and potentially counterproductive. "One of the most revealing comments that's ever come out of there — I forget if McQuillen or Reilly said it — was, 'There is no magic in this,'" said one New York magazine writer who insisted on anonymity. "There are those of us in this business who like to think there is some magic in it. It's not like producing airplane parts or cigarettes or some mass-market food. It is different."

WORLD STOCK MARKETS

Country	IN U.S. DOLLARS				IN LOCAL CURR.			
	Index	Week % Chg.	Week Rank	YTD % Chg.	YTD Rank	Dividend Yield	YTD % Chg.	
Australia	206.80	2.2	3	8.8	16	4.38	173.71	2.2
Austria	178.00	0.0	15	2.0	22	1.99	140.95	-8.6
Belgium	217.57	-0.3	18	4.0	20	3.96	168.37	10.9
Brazil	181.62	-2.2	27	31.7	1	1.90	341.20	38.3
Britain	249.24	0.1	13	8.1	18	4.05	236.30	7.3
Canada	169.53	0.7	10	14.2	7	2.13	167.42	14.2
Denmark	320.15	-0.5	21	10.9	10	1.80	254.77	17.0
Finland	213.53	1.4	5	14.1	8	2.44	204.30	19.8
France	195.86	0.7	9	9.2	14	3.07	158.28	15.0
Germany	177.83	0.0	14	8.6	17	1.74	149.92	15.7
Hong Kong	446.50	1.2	6	15.2	6	3.45	443.31	15.2
Indonesia	205.02	-1.0	23		27	1.65	291.63	
Ireland	303.08	2.6	2	18.6	4	3.37	266.52	18.7
Italy	79.59	6.4	1	8.0	19	2.38	90.46	3.6
Japan	147.81	-1.1	8	-4.6	24	0.74	103.54	2.5
Malaysia	563.65	-0.4	19	16.2	5	1.21	544.44	14.8
Mexico	1,233.12	-2.4	28	19.1	3	1.32	10,166.28	16.5
Netherlands	300.30	0.2	12	10.1	11	3.13	234.35	17.4
New Zealand	66.80	-0.5	20	9.0	15	4.17	65.78	1.7
Norway	253.79	-0.0	16	9.7	12	2.28	223.85	12.9
Philippines	203.87	-1.5	26		28	0.61	266.70	-1.4
Singapore	403.31	-0.8	22	-1.0	23	1.07	261.71	-1.4
South Africa	347.11	-1.0	24	-9.9	25	2.23	344.02	12.0
Spain	180.47	1.7	4	9.2	13	3.35	175.20	15.4
Sweden	378.22	1.2	7	21.2	2	2.31	371.26	21.2
Switzerland	240.82	-1.1	25	2.0	21	1.57	187.51	11.4
Thailand	138.09	0.4	11	-17.9	26	2.52	136.22	-17.2
United States	279.79	-0.1	17	11.4	9	2.12	279.79	11.4

COMPOSITE INDICES	
Europe	217.77 0.4 8.4 3.02 189.82 11.7
Pacific Basin	162.11 1.1 -1.9 1.20 115.26 3.5
Europe/Pacific	185.17 0.7 2.9 2.09 143.40 7.3
World	215.68 0.4 6.6 2.10 186.04 9.4



WORLD INDEX IN U.S. DOLLARS. TEL AVIV STOCK EXCHANGE INDEX IN U.S. DOLLARS, SET EQUAL TO THE WORLD ON OCTOBER 6, 1995.

Prepared by Goldman, Sachs & Co. using data derived from the Financial Times/Standard & Poor's Actuaries World Indices, a measure of stock market performance. The FT indices are compiled jointly by The Financial Times Limited, Goldman, Sachs & Co. and Standard & Poor's, in conjunction with the Institute of Actuaries and Faculty of Actuaries.

Source: Goldman, Sachs & Co. Exchange rates as of Friday's London close. © 1996 The Financial Times Ltd., Goldman, Sachs & Co. and Standard & Poor's

CURRENCIES			
Exchange rates	Friday	Last Friday	Week % Chg.
Japanese yen to the U.S. dollar	110.83	109.80	+0.93
German marks to the U.S. dollar	1.5235	1.5155	+0.52
Canadian dollars to the U.S. dollar	1.3628	1.3668	-0.29
U.S. dollars to the British pound	1.5630	1.5550	+0.51

Source: Bloomberg Financial Markets, exchange rates as of Friday's New York close.

Sept. 23-27: Bonds Rally After the Fed Leaves Interest Rates Alone; Stocks Hold Steady

PRICES	
DOMESTIC EQUITIES	
Broad market S. & P. 500 index	Down 0.12% 886.19
Blue chips Dow 30 industrials	Down 0.26% 5,872.92
Small capitalization Russell 2000 index	Up 0.78% 345.52

DOMESTIC BONDS	
Treasuries Ryan Labs. Total Return	Up 1.01% 189.28
Municipals Bond Buyer index	Up 0.97% 116.50
Corporates Merrill Lynch Master index	Up 1.12% 818.81

AROUND THE WORLD	
European stocks F.T.-Actuaries Europe	Up 0.42% 217.77
Asian stocks F.T.-Actuaries Pacific Basin	Up 1.06% 162.11
Gold New York cash price	Down 0.39% \$379.70

YIELDS	
BONDS	
Long bonds	6.90%
30-year Treasuries	Down 14 basis pts.
Notes	6.05%
2-year Treasuries	Down 18 basis pts.
Municipals	5.88%
Bond Buyer index	Down 7 basis pts.

OTHER INVESTMENTS	
Money market funds	4.81%
Taxable average	Down 2 basis pts.
Bank C.D.'s	5.14%
1-year small savers	Up 1 basis pt.
Stocks	2.15%
S. & P. 500 dividend yield	Up 1 b.p.



Sources: Bank Rate Monitor; Bloomberg Financial Markets; The Bond Buyer; Datastream; Goldman, Sachs, IBC's Money Fund Report; Merrill Lynch; Standard & Poor's; Ryan Labs

The New York Times

Founded in 1851

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To Higher Ground in Israel

Besieged by the violent conflict surging around them last week, Benjamin Netanyahu and Yasir Arafat have understandably staked out unyielding positions that leave little range for the conciliatory steps required to end the crisis. Both the Israeli Prime Minister and the Palestinian leader need urgently to move to higher ground. The issue before them is no longer simply the particulars of this fight, and who should blink first, but what is best for the future of Israelis and Palestinians.

Surely, peace is what is best, even if it is difficult to attain and hard to manage. Both Mr. Netanyahu and Mr. Arafat say they want to put Israel, the West Bank and Gaza back on the path to peace. To get there, they must settle this fight, and do so in a way that does not leave either side humiliated or so weakened it can no longer act as a credible partner in future peace talks.

Too much blood has been spilled and too much trust shattered in recent days to expect Mr. Netanyahu and Mr. Arafat to shake hands and instantly make peace. But to make any progress they must break out of the inflexible and defensive positions that are driving the current conflict.

Mr. Netanyahu legitimately insists that Israel must protect its security and should not negotiate with a gun to its head. He rightly complains that Mr. Arafat in recent weeks has encouraged potentially violent protests in an effort to enhance his diplomatic bargaining position. Mr. Arafat has been playing a dangerous and duplicitous game by calling frustrated and angry Palestinians into the streets to pressure the Netanyahu Government to implement the Oslo peace agreements.

Mr. Netanyahu made all these points and more in an uncompromising news conference on Friday. But in his forceful defense of Israel's rights, he missed the larger issue of Israel's long-term interests. He and Mr. Arafat can play out a strategy of tit-for-tat retaliation, refusing to budge until the other gives ground, but the result will just be more violence.

The measure of Mr. Netanyahu's strength and leadership in this crisis is not how unyielding he can be, or how much military force Israel can marshal against the Palestinians. No one doubts Mr. Netanyahu's determination to defend the security of Israel or his ability to do so.

The test of leadership is whether Mr. Netanyahu has the courage and wisdom to see that Israel's long-term interests are not served by a running conflict with the Palestinians.

The urgent need is for both sides to order their forces to cease fire and pull back from confrontation, which appeared to be happening yesterday.

Mr. Netanyahu and Mr. Arafat must reaffirm some essential ground rules about Palestinian self-rule on the West Bank and in Gaza. In the last days Israelis and Palestinians saw their worst fears about self-rule come true. Many members of the Palestinian police force, armed by the Israelis to maintain security in Palestinian-controlled towns, turned their automatic weapons against Israeli soldiers in deadly fire fights. Israeli forces re-entered towns that were supposed to be Palestinian-ruled and patrolled.

Mr. Netanyahu should make clear that Israeli forces will not be sent back into Palestinian-ruled towns except in the most extreme emergencies. Mr. Arafat should make a firm commitment that Palestinian police officers will not again open fire on Israeli troops.

Israel should suspend the construction project in Jerusalem that led to the Palestinian rioting. Israel's current sovereignty over Jerusalem is secure and does not require the opening of a new entrance to an archeological tunnel that runs alongside some of the holiest sites to Muslims and Jews.

The alternative to peace is all too painfully familiar to Israelis and Palestinians. If anyone needed a reminder, they now have it. Mr. Netanyahu and Mr. Arafat can best serve their followers by being peacemakers, not warriors.

Legacies of the 104th Congress

With Newt Gingrich leading the parade, the new Republican majority swaggered into Washington in January of last year convinced that their radical agenda had popular appeal. In the beginning, their confidence did not seem misplaced. They dominated the national debate and instituted significant reforms of Congressional procedures. Then they overreached. They shut down the Government in an effort to win huge spending cuts and all they really got for their pains was a reputation — cleverly manipulated by President Clinton — for calousness. Now, as the 104th Congress passes into history, the very Republicans who had defied Mr. Clinton are trying to build a more moderate legislative record to take to the voters.

Some of this Congress's handiwork has been shortsighted, and in one egregious instance — the new welfare law — the President was a willing accomplice. At the same time, much of what the radicals promised in the Contract With America, including a rollback of important laws and regulations, did not get done.

That was due in large part to the emergence of a bloc of centrist Republicans and Democrats who resisted the assault on environmental protections and who together expanded health insurance coverage, increased the minimum wage and, most recently, added some spending for education, housing and other programs. Their rising influence bodes well for the possibility of bipartisan compromise on the tough issues facing Congress next year.

As recently as midsummer, Bob Dole's Presidential campaign outlined a strategy in which Republicans in Congress would send bill after objectionable bill to the White House this fall, prompting a string of embarrassing vetoes. Instead, Republican lawmakers discovered the virtues of running for re-election on a record of actual accomplishment. They have given Mr. Clinton legislation he can actually approve and he has artfully incorpo-

rated various bill-signings into his own campaign.

But while the fire-breathing freshmen failed to dismantle the government they campaigned against, the Republicans can claim some real achievements. As they pledged in the contract, they applied employee rights and other laws of the country to Capitol Hill, enacted the line-item Presidential veto, streamlined the committee system and re-established the power of the Speaker. They forced Mr. Clinton to embrace a seven-year plan to balance the Federal budget, though the details remain to be decided. Especially impressive were their successful efforts to overhaul the farm subsidy program and ease regulations in the telecommunications business.

Republicans and Democrats alike deserve blame for failing to address campaign financing reform and the continuing influence of powerful special interests. Even so, Republicans and Democrats remain far apart on their basic approach to government, differences that are sure to surface when Congressional leaders hold an unusual debate on public television tonight.

The greatest item of unfinished business in the 104th Congress is the same as it was in the 103d: health care. Mr. Clinton's overwrought reforms in his first two years were essentially defeated because Americans feared that they would diminish their own health choices and programs. Historians will be wondering for a long time why the Republicans turned right around and pushed excessive cuts in Medicare and Medicaid, which the voters perceived as posing the exact same threat.

Now that both sides have tried to take their troops over the top of the trenches with ideologically driven health agendas, the way should be clear in the 105th Congress for a bipartisan approach to tackle the growing cost of health entitlements and perhaps Social Security as well. An aging and increasingly anxious population demands no less.

The Opening Woods

Autumn has come, and already the weight of the afternoon sun falls more lightly on one's back than it did a few weeks ago. In the country north of New York City, the days seem not only shorter but also somehow thinner too, and every morning that dawns above freezing feels like a morning won back from the inevitable. Nothing is dry yet, of course, but the promise of eventual dryness is in the air. A day will come when every crown of seeds will rattle on the weeds in ditches and fields, when leaves will crunch obligingly underfoot again.

A wet summer is inevitably a dark summer, and in the Berkshire hills this was one of the darkest on record. Never were the fungicidal qualities of exterior paint more highly prized than this year. Old wooden barns and outbuildings became studies in parasitism. In the bedroom of at least one country house, a mushroom the size of a child's head sprouted from an interior beam. All in all, it was a good summer to be an epiphyte from one of the gloomier, more downcast species.

But as autumn advances, the woods will open up again. The deep shade, which seemed so unfamiliar when it first returned in late spring, will dissipate. Antiseptic sunlight will again reach the water-

logged earth beneath the great stands of oak and maple. Even as daylight slackens, week by week, the turning, yellowing leaves will reflect more light at wavelengths with a warm, inviting cast. As the leaves cover the ground, the floor of the deciduous forest will begin to throw light upward toward the sky. The landscape will seem to decrease in volume because the woods are bare.

What all of this means is that the catbird will be leaving soon. It has lived in the green shade beside a rotting porch all summer long. One glimpses it only now and then — a slender gray bird wearing a black skullcap, scratching among the lower branches along the edge of the woods. When it calls, it does not sound like a cat meowing. It sounds like an imitation of a cat meowing, like a squirrel throwing its voice in order to puzzle a dog. But when it sings, the catbird distills shadows into music, the way the nightingale does in English poetry.

There is a faintly mechanical quality to its song, as though the notes were produced by small bells or the operation of intricate machinery. When the woods open up and there is no shade left to hide it, the catbird will go. Summer will finally have come to an end.

Mediocre Teaching Doesn't Warrant Better Pay

To the Editor:

In your Sept. 25 editorial "Mediocrity Revisited," you note the "alarming number of teachers who have not studied the subjects they teach or have otherwise failed to meet already lax licensing requirements." Then, in a classic non sequitur, you advocate increasing teacher salaries. Do you really think it is wise to reward mediocrity with fatter paychecks?

As long as the education profession is dominated by unaccountable unions that demand tenure and block the real reforms you advocate, paying higher salaries is just throwing good money after bad.

As you note the same day in an Education page article on Roman Catholic schools in New York City, teacher salaries are far from the key issue. In the schools you surveyed, which graduated at least 88 percent

of students in four years, compared with 48.2 percent in the New York City public schools, teacher salaries were, on average, \$19,000 to \$20,000 less than those in the government-run schools. STAN GUTHRIE, Wheaton, Ill., Sept. 25, 1996

whose eventual employees they will be teaching. Industry employees, in turn, should be allowed to participate in creating courses for and giving instruction to 21st-century teachers. This would assure the currency of the classroom teacher's data base and the possibility that academics would be made more relevant.

Models for this training exist. In Lawrenceville, Ga., Wilka, a subsidiary of the world's leading maker of pressure and temperature instruments, has employees teaching calculus and geometry in local high schools while their teachers work at the company plant.

The call by the National Commission on Teaching and America's Future and its chairman, Gov. James Hunt Jr., for more professional standards boards is the same old call for academicians to offer closed-circle solutions to the teacher training crisis. It's time that parents, political leaders and industry insist on an active say and role in the education of those who will educate their children, future citizens and work force personnel. CARMINE J. GIORDANO, Brooklyn, Sept. 26, 1996

The writer is an adjunct lecturer in education at Baruch College, CUNY.

Industry Partnership

To the Editor:

Raising professional standards for teachers will not alone produce a teacher corps adequate to the demands of high-technology and the information age (editorial, Sept. 25). It will also take community-based learning experiences to train the 21st-century teacher.

Prospective teachers should be required to spend paid training and working internships in the industries

Whose Money? And Whose Problems?

To the Editor:

At a time when the average American family pays more in taxes than it spends on food, shelter and clothing, I find it difficult to believe that anyone would suggest that Americans aren't warranted a real effort at tax reform ("A Reckless Tax Cut," editorial, Sept. 25). Rejecting Bob Dole's plan, you offer no solution to the excessive taxes borne by American families, but conclude with the insipid contention that President Clinton's plan "would do no harm."

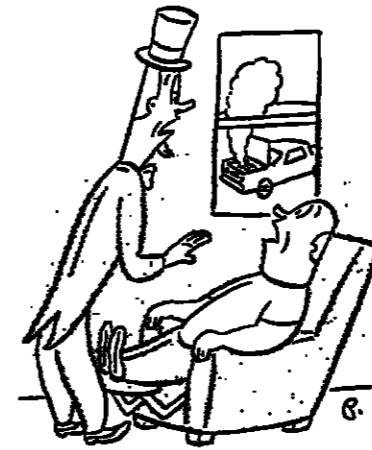
Moreover, I don't accept your claim that "the economy is now operating at full bore." According to the Commerce Department, the yearly rate of economic growth since Mr. Clinton took office is only 2.5 percent, compared with 3.2 percent in the decade before and 4.4 percent in the past five expansions.

Just days before your editorial appeared, the Federal Reserve reported that manufacturing is dropping, along with productivity. The Fed's decision not to raise interest rates is proof that it doesn't see the economy "operating at full bore."

Tax cuts create economic growth. Economic growth creates jobs. Mr. Dole's plan encourages savings, investment and job creation, and it will strengthen America's ability to remain strong in the international economy. WILLIAM V. ROTH JR., Chmn., Senate Finance Committee, Washington, Sept. 25, 1996

To the Editor:

In your Sept. 25 editorial "A Reckless Tax Cut," you seem concerned about Bob Dole's tax cut plan because "he is vague where he will cut spending to pay for his generosity." His generosity? What about the generosity of millions of Americans over the past 30 years who have contributed trillions of dollars to support a failed welfare state? The \$1.5 trillion in the Federal budget comes from our pockets. It is not Washington's money. It is not Mr. Clinton's money. It is not Mr. Dole's



money.

We must come to the realization that the question of how we pay for things must be directed to the American people. How are we going to pay for President Clinton's tax increases on income and gas? How much more do we have to pay to keep programs like welfare, Medicare, Medicaid and Social Security on track?

You also say Mr. Dole's tax cut plan is unfair. In 1990, according to Internal Revenue Service statistics, the top 1 percent of wage earners paid about 25 percent of all Federal income taxes. Is it fair to punish the most successful Americans with the highest taxes? Bob Dole and Jack Kemp understand that the tax code is indeed unfair, and they know that people know how to spend their own money. VINCENT OJEDA, Reno, Sept. 25, 1996

Whose Bills?

To the Editor:

How can Bob Dole say to Americans, "You know how to spend your money better than the Government" (front page, Sept. 25) when a lot of Americans can't even pay off their credit cards? FIONA BAYLY, New York, Sept. 26, 1996

Ban All H.M.O.'s From Muzzling Doctors

To the Editor:

Your Sept. 22 Week in Review article "The Tricky Business of Keeping Doctors Quiet," on the widespread use of health maintenance organization contract clauses that restrict what doctors can say to patients about treatment options and H.M.O. payment policies, and your Sept. 17 news article on state legislative initiatives aimed at banning such clauses, illustrate the need for patient safeguards.

The American Medical Association, after reviewing more than 200 health plan contracts, found numerous examples of clauses like the ones excerpted your Week in Review article.

Some plans concede their mistakes. We have worked with plans to provide contractual language to protect their business needs without compromising clinical disclosures to patients.

Two of New York's largest health maintenance organizations, U.S. Healthcare and Choicecare, have eliminated such "gag" clauses.

Unfortunately, the position of some participants in the health plan industry has been to continue to fight against full patient access to medical information. This is why in only seven months, 16 states have passed legislation to prohibit health plan gag clauses. This fall, 13 more states will introduce such legislation. Passage of a Federal law is essential. DANIEL H. JOHNSON JR., M.D., Pres., American Medical Assn., Chicago, Sept. 25, 1996

lands, Norway, Spain, Sweden, Switzerland, Australia, New Zealand and even Cuba, have better life expectancy than ours.

It is no secret that our health care cost is much higher than any of these countries. Why are we then spending a lot more for a shorter life span?

Perhaps the most important reason for our poor results has been a lack of emphasis on primary care. According to the Journal of Academic Medicine, a recent estimate projects an excess of 139,000 specialty physicians by the year 2000, nearly a third of the physician supply.

Our obsession with high-technology medicine has not helped us to be a leader in life expectancy and infant mortality rates. It is time that we set a goal of producing a lot more physicians interested in practicing primary care. SHALINI GUPTA, Chappaqua, N.Y., Sept. 23, 1996

Moscow on the Hudson

To the Editor:

Your Sept. 24 front-page article on the substandard care endured by Russian cardiac patients mentions that the Russian Ministry of Health requested \$4.3 billion to run hospitals but received only \$890 million.

New York City's subsidy of the Health and Hospitals Corporation has dropped from \$1.5 billion to \$57 million in recent years. Perhaps the vision of Russian cardiac patients getting little care and a grim prognosis is a glimpse into our own future. HAROLD APPEL, M.D., New York, Sept. 26, 1996

Primary Care Gap

To the Editor:

The life expectancy table in "Aging World, New Wrinkles" (Week in Review, Sept. 22) comes as sad news. Although the United States is the richest nation in the world, several countries, including Britain, Canada, France, Greece, Italy, the Nether-

The Times welcomes letters from readers. Letters must include the writer's name, address and telephone number. Those selected may be shortened for space reasons. Fax letters to (212) 556-3622 or send by electronic mail to letters@nytimes.com, or by regular mail to Letters to the Editor, The New York Times, 228 West 43d Street, New York, N.Y. 10036-3959.

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Foundation of Quality

To the Editor:

You rightly support better pay for better teachers (editorial, Sept. 25), although that alone is unlikely to overcome the "rising tide of mediocrity" in the nation's schools. My late parents, with 50 years of teaching experience between them, encountered massive indifference to quality standards, because most people do not understand the foundation of education quality.

Try to open a European-style lycée or gymnasium in the public sector and you can predict an outcry. An emphasis upon the liberal arts and Western civilization is offensive to multiculturalists. A majority of people think that a traditional curriculum lacks relevance for modern society.

Quality education cannot occur unless teachers are given the authority to fail students who do not meet standards without facing meaningless administrative guidelines and an appeals process. For committed teachers, better pay is important, but less important than greater respect and autonomy. MATTHEW MENKEN, Princeton, N.J., Sept. 25, 1996

On Promise Keepers, Don't Play to Fears

To the Editor:

Re Frank Rich's Sept. 25 column "Thank God I'm a Man," on the gathering of the Promise Keepers, the all-male, all-Christian movement, at Shea Stadium:

I resent Mr. Rich's implication that people like me are a possible new army for the religious right. I am a Democrat who has never voted for a Republican at the national level. I am also a Quaker, and Quaker teachings are certainly not associated with the religious right. I am attracted to this group, known as PK, because I am a teacher concerned about increasing male irresponsibility.

I am also the adoptive father (white) of a boy of mixed race and thus have a personal stake in racial reconciliation. PK is the only movement I know of where blacks, whites, Hispanic and Asian-Americans come together to keep the Rev. Dr. Martin Luther King Jr.'s message alive. Rather than promote understanding and reconciliation, Mr. Rich plays to our fears. HERBERT N. LAPE, Huntington, L.I., Sept. 25, 1996

To the Editor:

I appreciate Frank Rich's Sept. 25 column, "Thank God I'm a Man," but he neglects the crisis that prompts movements like Promise Keepers. Promise Keepers illumines the spiritual vacuum in much of the "liberal" agenda of mainline churches. Any church devoid of a vital, central Christian faith creates an entrance for groups like Promise Keepers, which can be a Trojan horse filled with hostility, misogyny and arrogance.

The tone of Mr. Rich's column distances him from a needed spiritual engagement among men. Although he met some men at Shea Stadium who did "hunger to overcome macho inhibitions and reconnect with God," why can't he pursue that tack? There are many more than a million men who have that hunger and are hoping to be more authentic and fulfilled human beings. ALAN JOHNSON, Westport, Conn., Sept. 26, 1996

Enough of Whitewater

To the Editor:

Your editorial "Whitewater Sparring" (Sept. 26) is an ill-conceived paeon to justice and the American legal system. I for one am not an unqualified supporter of President Clinton, but I must admit I cheered when I heard him say, "Isn't it obvious?" to Jim Lehrer's question in his Public Broadcasting Service interview about the motives in this case.

After years of fruitless sleuthing at the cost of millions of dollars, I resent my tax dollars being spent on furthering this enervating, lugubrious trolling for trash from the past for Republicans to hurl at the Democratic candidate for President. STEPHEN R. STINSON, Chicago, Sept. 26, 1996

سبحة من الامل

The Road to a Secure Peace

By Eliahu Ben-Elissar

This week was to have been a time of joy and festivities for Israelis. Many pilgrims will visit Jerusalem, our capital, in the same way that our ancestors did for millenniums. But this year there was to be something special: an ancient aqueduct, today a tunnel, built by the Hasmonean Kings and rediscovered by archeologists some 150 years ago, was recently opened along the Temple Mount. This tunnel was intended not only to connect Jews with their glorious past but to allow four times as many international visitors to visit the area, bringing a much-needed influx of revenue to merchants in the old city's Muslim and Christian sectors. But instead of festivities, a series of tragic confrontations swept Israel and the Palestinian autonomous areas.

It is difficult to fathom the connection between the opening of an archeological site and the loss of so many lives this week. The tunnel is only several hundred yards long and does not pass beneath the Temple Mount; nor does it pass beneath the foundations of any mosque. In fact, it runs adjacent to the Western Wall, Judaism's holiest shrine and the only continuous remnant of ancient Jewish sovereignty. No private property was confiscated or expropriated to open the tunnel, and to avoid any public commotion it was not opened in the regular business hours. In short, the municipality of Jerusalem acted within its rights and its obligations to promote commerce and tourism.

Those who object to the opening of this archeological site in fact challenge the right of the State of Israel and municipality of Jerusalem to

perform their most basic duties to their citizens, a right which other countries take for granted.

The real reasons for the outbreak of violence last week lie not in an archeological tunnel, but in the depths of a modern political pit. Israel and her Arab neighbors have been negotiating peace for a number of years. The new Israeli Government has repeatedly emphasized its commitment to honor agreements signed by previous governments, including accords with the Palestinians.

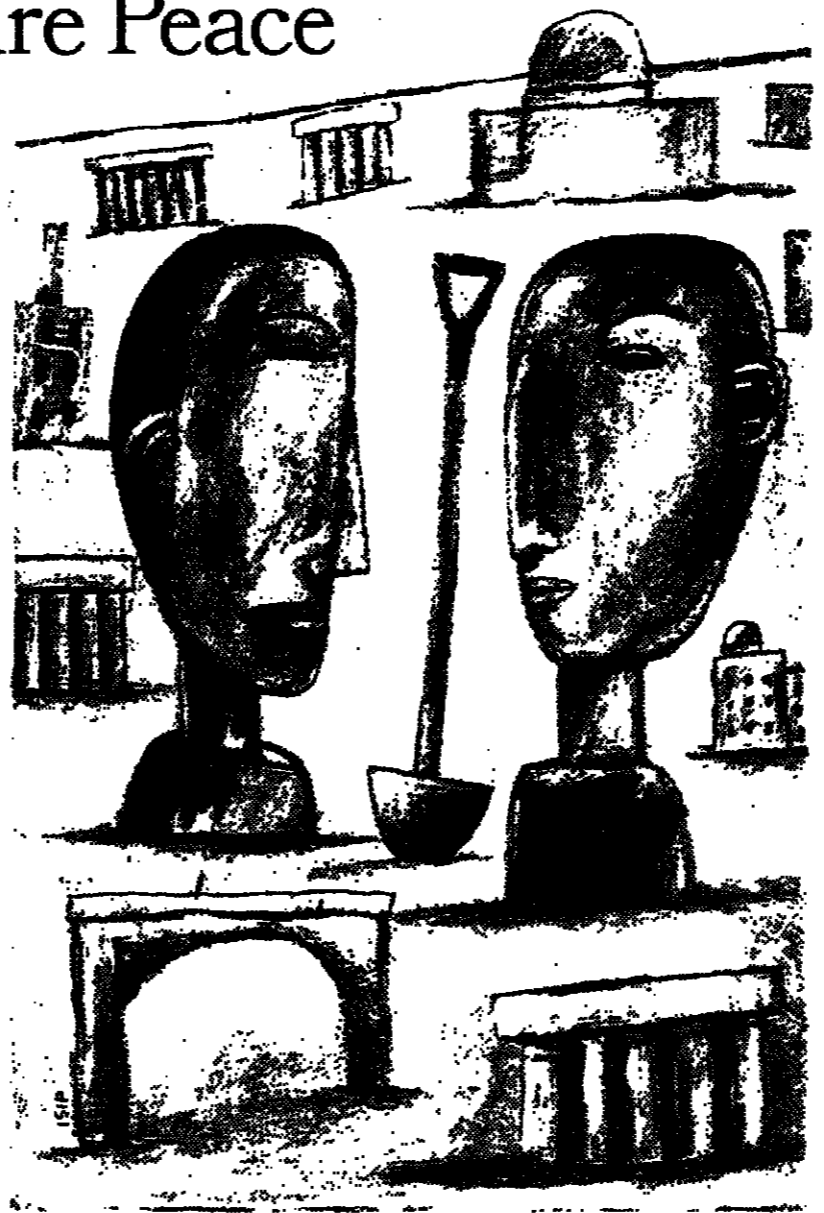
Since the new Government took office some 100 days ago, it has maintained a very active outreach, on all levels, with the Palestinian Authority. It would appear, however, that some of our partners in the

The key is 'good faith' negotiations.

peace process look upon the change of government as an opportunity to exert pressure on and extract concessions from Israel for political gain at the negotiating table.

This is evident by negative characterizations of Prime Minister Benjamin Netanyahu in the Arab press and by Arab officials, by the movement of troops along our northern borders and the continued terrorist attacks from Lebanon. These tactics will neither bring about Israeli submission in the negotiations nor will they dissuade us from our deep commitment to continuing the peace process.

Today Jewish and Arab families are in mourning for the many lives, Arab and Jewish, that have been lost. The orchestrated campaign of demonstrations triggered a potentially dangerous threat to the cause of peace. As called for in the Interim Agreement, Israel and the Palestinians have jointly undertaken to main-



Liberties

Men Behaving Badly

MAUREEN DOWD

WASHINGTON

Despite the best efforts of linguists, therapists and anthropologists, men and women are still in a muddle.

Women are feeling more independent, but they're still feeling wronged. They're everywhere in the workplace, but still want to wash that man right out of their hair.

Perhaps it comes as no surprise — after feminism, after the men's movements, after successive Newsweek covers on "Testosterone" and "Adultery" — that women have wound up in a tangle of independence and dependence, not going gently into the millennium.

With improvements in communication between the sexes, women are able to talk more freely — about revenge, manipulation, deception, destruction, even mutilation.

The movie "First Wives Club," about a trio of wives who turn the tables on their worm-like husbands, has struck such a chord that it will be on the cover of this week's Time, with the headline "Sweet Revenge."

Revenge animates Claire Bloom's new memoir about her marriage to Philip Roth. The actress paints the author as a dirt sandwich who harbored "a deep and irrepressible rage" toward women. And Eileen McGann let loose a Hitchcock fantasy about her wayward husband, Dick Morris, in Newsweek: "Sometimes I think about dismembering him."

The fact that women still think men will slither away at the slightest provocation is confirmed by the brisk sales of "The Rules." It almost duplicates the 1966 bible, "How to Catch and Hold a Man," which instructed women on "the feline look" and the male sensibility. "Men are attracted to bright, shiny objects," that book said, advising lots of jewelry. "The Rules" coaches: "Even if you are the head of your own company... when you're with a man you like, be quiet and mysterious, act ladylike, cross your legs and smile. ... Wear black sheer pantyhose and hike up your skirt to entice the opposite sex!"

Women have played a key role in bringing the swaggering Republican Party to its knees. Women of every age group, from soccer moms to Medicare grandmas, recoiled at what Newt Gingrich and his gang tried to do in 1995, feeling the cuts were too cruel. Many were also appalled at Bob Dole's tin ear on tobacco and kids, and his bashing of

the Family and Medical Leave Act. "Women are running around breathlessly, they can't keep up with their lives," said Ruth Mandel, head of the Eagleton Institute of Politics at Rutgers University. "Anything that adds to the sense that they are not being understood is unacceptable."

Celinda Lake, a Democratic pollster, says she sees a reverse in the

Women striking back.

trend of men leading women on politics. Women are more interested in the issues than men are and are making up their minds first, she says, leaving the men to come around later. Women were the first to decide the budget cuts had gone too far, and the first to give President Clinton a strong edge.

Many women, in interviews with reporters and focus groups, note an echo in the harsh politics of Newt Gingrich and Bob Dole and the harsh way they left their first wives.

Like the discarded wives in "First Wives Club," Jackie Gingrich and Phyllis Dole struggled to get their husbands started on successful careers before being dumped for younger, sleeker models. Jackie helped get Newt out of debt and put him through college while raising their two daughters. She has said it came as "a complete surprise" when her husband came to her hospital room, when she was recovering from cancer surgery, to talk divorce.

Phyllis Dole, an occupational therapist who met Bob Dole at the hospital in Battle Creek, Mich., where he recovered after the war, worked to get him through college and law school and even wrote down his answers for him during his bar exam. As the years went by, Bob Dole neglected his wife and daughter and moved into the basement. Then he abruptly announced, "I want out."

The first Mrs. Dole told Mirabella that the experience still haunts her. "I could have been just as much to blame for the problem as he was. That was my biggest question: What did I do wrong?"

If the Republicans are dismembered in November, they'll have to ask themselves, the same question: **What did I do wrong?**

Victims' Rights and Wrongs

By George P. Fletcher

The father of Polly Klaas stood up in a California courtroom last week and vented his rage at his daughter's killer. At the sentencing hearing, Marc Klaas said Richard Allen Davis should be condemned to Hitler's circle in hell. Then, after Mr. Davis outraged the courtroom by wildly accusing Mr. Klaas of molesting his daughter, Mr. Klaas lunged toward him and was taken outside. After such an ordeal, is there any juror or judge who would not have felt a large amount of sympathy for Mr. Klaas and his family?

Aristotle taught that the pursuit of justice should contribute to our happiness. Did enlisting Mr. Klaas in the state's campaign to sentence Mr. Davis to death help the bereaved father or did it demean him by exploiting his grief for the prosecution's ends?

Learning from the Klaas case.

The prosecutor exploited Mr. Klaas's anger to persuade a jury to recommend death for Mr. Davis. The prosecutors pointed out again and again that Polly was a beautiful child and that her family loved her.

But focusing on the families of victims distorts the process of judgment. The families should not testify about their pain at the sentencing hearing. Their testimony, no matter how moving, is simply not relevant.

It should not matter whether the victim is a beloved Polly or an abandoned child. It should not matter whether a victim's family sits in court every day or whether the victims have no one there to cry for them.

Sentencing should not focus on the particular victim. The crime is killing a human being, rich or poor, beloved or despised. Polly, like many others, was killed in a heinous and brutal act. Her death made no greater claim on the death sentence than

the murder, under similar circumstances, of a neglected and unloved child.

How, then, should we allow families of murder victims to participate in the quest for justice? The justice system should give them a role in the pretrial and trial proceedings.

Had the trial taken place in a French or German courtroom, Mr. Klaas would have had the right to be part of the prosecution team. If he did not like the way prosecutors were conducting the case, he would have had a right to call his own witnesses as part of the trial.

This is precisely a form of intervention that American prosecutors are loath to concede. They support victims' rights so long as these rights buttress rather than detract from their hegemony in the courtroom.

If victims and their families had a right to be heard at the trial, they would have an alternative to venting their rage in an effort to punish. Instead, victims could channel their passion into the orderly process of seeking the truth about the charges against the suspect. Justice would be served by treating all victims with the same deference, regardless of their circumstances.

George P. Fletcher, a law professor at Columbia University, is author of "With Justice for Some: Victims' Rights in Criminal Trials."

Foreign Affairs

THOMAS L. FRIEDMAN

Bibi's Moment of Truth

There were many telling images from the latest tragic Israeli-Palestinian clashes, but none was more revealing than the first phone call Prime Minister Benjamin Netanyahu made after the crisis exploded. He phoned Egypt's President, Hosni Mubarak, and asked him to calm things down. Not Yasir Arafat. Hosni Mubarak. Mr. Netanyahu indicated he would call Mr. Arafat only if it were necessary. Necessary? Necessary?

From the moment he took office Mr. Netanyahu has been fighting a losing battle with reality. He has been trying to prove that all of his right-wing nationalist myths were true: that Israel could dictate to the Palestinians whatever it wanted on Jerusalem, that Israel could attract investment from Wall Street while ignoring the Arab street, that Israel could have good relations with Arab states even if it had bad relations with the Palestinians and that Israel's future could be secured without his dealing much with Mr. Arafat. Because Mr. Netanyahu narrowly won the Israeli election, he assumed that this was a confirmation of all his rhetoric. He justified his policies by saying, "The Israeli people have voted."

Well, last week reality voted. And it was a landslide against Bibi. His first instinct was to downplay it — to telephone Hosni. But Hosni told Bibi he had to call Yasir, and by the time Bibi called Yasir matters were well out of control.

This was so predictable. Visiting the West Bank before the Israeli election you found unemployment among Palestinians, and frustration at the slow pace of negotiations, but the

Partnership or fantasy?

mood was remarkably calm, with an unprecedented degree of visible cooperation between Israeli and Palestinian troops. Of course, Mr. Arafat, Shimon Peres and Yitzhak Rabin had had their hard times. But what made their relationship workable was that they each had accepted that the other had made a painful strategic choice — the choice to link their destiny to one another. None of these men thought he could succeed without the other. And while they never spelled it out, they had an implicit understanding that they were heading for a two-state solution, a Palestinian state next to a Jewish state. Mr. Arafat, belatedly, came to understand that Israel could never keep up the momentum of peace without Palestinians making a 100 percent effort to guarantee Israeli security, and Mr. Peres came to understand that Mr. Arafat could never guarantee security unless the peace process continued its momentum. Because they agreed on the big issues, and had forged a strategic partnership, the little issues never led to massive blowups. The violence that did occur was the Israeli and Palestinian extremes against the Israeli and Palestinian mainstreams.

Mr. Netanyahu, by spurning a strategic partnership with Mr. Arafat, and by declaring that Israel would

control everything in Jerusalem and the West Bank in perpetuity, turned this situation upside down. He created a situation where there was no agreement on the big things, so every little thing mattered enormously. Every new Israeli door, every new tunnel, every new road opening took on strategic importance for the Palestinians and became a strategic threat, because each was seen as another step by Mr. Netanyahu in building a reality that denied basic Palestinian aspirations. Mr. Netanyahu demanded total security from Mr. Arafat, but he reserved the right to pursue his own nationalist agenda, to treat Mr. Arafat as a pariah and to foreclose all sorts of long-term options — not just with words but by unilaterally changing the status quo on the ground. Such a bargain was never going to work. The only question was what would trigger the explosion — a new delay, a new settlement or a new tunnel?

This is Mr. Netanyahu's moment of truth. There is only one peace process and it is the one, with all its difficulties and achievements, that Mr. Rabin began and that Mr. Peres was trying to continue. Mr. Netanyahu has a choice. He can, in his own way, pick up where Mr. Peres left off, and try to nurture a real strategic partnership with the Palestinians on the basis of mutual respect and mutual security. Or he can pursue his right-wing fantasy, in which case Israel-Palestine is going to become Bosnia-Herzegovina.

Mr. Netanyahu can have real negotiations between leaders or a real war between peoples. Those are his choices. There is nothing in between. There never was.

Historical Creations

(Actual Sizes Shown)

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*Please list gift recipients' names and addresses separately, and we'll send them the medallion, with a gift notice in your name.

ART

The Brave New Face of Contemporary Asian Art

By HOLLAND COTTER

CONTEMPORARY art in India? There is no contemporary art in India. So an academic friend tartly reminded me a few years ago. How could an avant-garde art exist anywhere in the "timeless" cultures of what we monolithically call Asia? If it did, it couldn't be any good. Too Western. Or too Asian. Or too little of one or the other.

Her assertion was understandable. But it proved wrong. In New Delhi and Baroda, Calcutta and Madras, new art in nontraditional forms, pitched to an international mainstream market, is being produced as you read these words; art schools are flourishing; a network of art galleries is growing.

The same is true across much of Asia. The West has long been alert to the excitement of contemporary Japanese art. But now new art is percolating through China (both the People's Republic and Taiwan) and Korea to the vast archipelago of Indonesia, though little finds its way to the art capitals of Europe and the United States.

As it happens, Asian art of all kinds commands the spotlight in the United States this season. Dallas is offering a one-stop-only autumn show of 17th-century Japanese Momoyama period work. Boston and Brooklyn are giving their Chinese holdings star treatment with new installations. "Splendors of Imperial China: Treasures From the National Palace Museum, Taipei," last season's blockbuster at the Metropolitan Museum, is wending its processional way to San Francisco and Washington. And the extravagantly titled "China: 5,000 Years" bows at the Guggenheim in May.

With such historical riches jostling on the horizon, it would be easy to overlook another phenomenon: the wave of contemporary Asian art — less than a tidal wave but far more than a ripple — headed this way, whether in the form of sprawling multimedia installations or traditional images given a distinctly 20th-century spin.

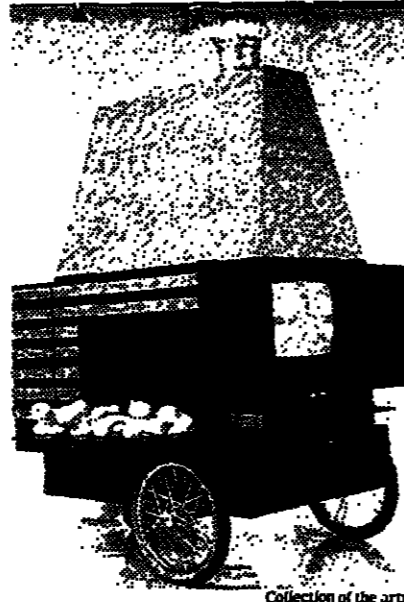
The Guggenheim show will include new work from China. But more immediate news breaks on Friday, when the show titled "Contemporary Art in Asia: Traditions/Tensions" opens in New York at three locations: the Asia Society, the Queens Museum of Art and the Grey Art Gallery of New York University. (The shows remain on view at the first two locations through Jan. 5 and at Grey Gallery through Dec. 23.)

Organized by the Asia Society, the show is the largest gathering of its kind yet seen in the city, though with some 70 works by 28 artists it is still

Asian art that grapples with questions of racial and national identity.

a modest affair and makes no pretense of being comprehensive. It takes just five countries: Indonesia, India, the Philippines, South Korea and Thailand. And it focuses on only one of the many varieties of art produced in each today: politically oriented, with a bias toward installation.

Whatever the show shapes up to be, just by taking place it sets important precedents. It not only ushers in little seen Asian art but lets Asians themselves make the introductions.



Thailand "Mode of Moral Being," 1996, by Kamol Phaovasadi.

The curator, Apinan Poshyananda, is an American-trained professor of art in Bangkok. The catalogue is almost entirely by Asian critics and scholars. And the show's ambitious itinerary will take it to Canada and to four stops in Asia itself.

One would like, of course, to attribute its arrival to a flash of esthetic enlightenment on all sides. But money is probably the bottom line. Powerful international trade winds have been blowing from an Easterly direction for some time now (Southeast Asia in particular is booming), and all things Asian are hot property to Western cultural institutions, ever alert to private and corporate financing.

And with its integration into a global market economy, Asia has undergone daunting changes. Vast new wealth, accelerated urbanization, a growing middle class, an unprecedented deluge of Western forms and values have together resulted in an increasingly fragmented and destabilized self-image.

With that self-image as its theme, "Traditions/Tensions" has dramatic material to work with, though the show arrives in New York with a few built-in liabilities.

One is timing. Art based on "identity" has been a growth industry in the United States for almost a decade. "Diversity" is a concept so overworked and emptied of meaning that Bill Clinton felt comfortable using it in his recent speech accepting his renomination for President. And installation is yesterday's cold potatoes to the mainstream art world.

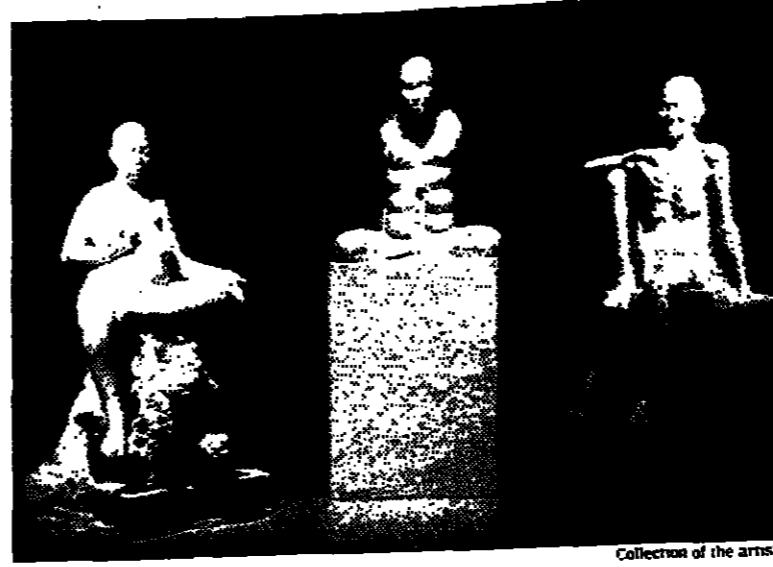
The fact that installation art is pegged as a Western form also raises difficulties. Generally speaking, to Western viewers, West means modern, non-West means traditional. And while the West seldom has qualms about borrowing extensively from cultures outside its sphere, it is known to get impatient if the exchange goes the other way.

Eclecticism and variety, in other words, are the prerogatives of one kind of art; predictable purity the requirement of the other. Thus, superficially considered, the new Asian art risks being dismissed either as wannabe Western or inauthentically Asian. It may, in fact, not be seen as Asian at all.

Which brings up the flip side of the visibility problem: unfamiliarity. Viewers who come to the show without at least some grounding in the social attitudes, religious beliefs and modern histories of the five distinctive countries embraced here are already seriously behind the curve, for much of this art comes straight from specific cultural experience.

Consider the case of Korea. An ancient culture long dominated by China and colonized by Japan, it was suddenly harnessed to a Western-style capitalist economy half a century ago, with explosive results. The population of Seoul, the Korean capital, jumped from 600,000 to more than 10 million between 1968 and 1988. International corporations like Samsung and Hyundai have become household names, and wealth has contributed an avalanche of new art. (At the beginning of the 1990's it was estimated that Seoul had more than 300 galleries and 60,000 artists.)

There is no question that prosperity opened doors for Korean artists, giving them first-time contact with the cutting-edge art of Europe and the United States, as well as a poten-



Philippines "Vesta, Dea, Lola," body casts of women of various ages placed on pedestals, 1995, by Agnes Arellano.

tial market. But it also altered the fabric of their daily lives.

Old esthetic traditions were threatened by commercialization. (How can brush-and-ink landscape painting compete with Disney?) Western-style individuality went against the grain of a "we" society. And the idea of innovation as an end in itself left the valued notion of cultural continuity in the dust.

Such ambivalence marks the work of Korean artists in the show. Installations by Cho Duck Hyun offer dramatically lighted archival images — drawings and photographs — of an older Korea in what the artist considers a gesture of cultural healing. (He invited a Korean shaman to preside over his 1994 installation for the São Paulo Biennial.)

And the overtly political paintings of Kim Ho-Suk, like those in the series titled "The History of Korea's Resistance Against Japanese Colonialism," addressed the country's painful interaction with the outside world. Mr. Kim, whose grandfather was a resistance fighter during the Japanese occupation, depicts 20th-century Korean historical figures but in a delicate 18th-century style.

Some of Korea's historical realities — colonialism, national partition, economic disparities, the sense of a spiritual life on the rocks and a cultural identity growing ever more fragile in a global environment — are shared by much of the rest of Asia. A highly conflicted national "self," for example, is the subject of a painting by a Thai artist, Chatchai Puplia, titled "Siamese Smile." Its ferociously grinning male head (a

self-portrait, in fact), teeth clenched, eyes bulging, is an unhinged version of a classical Thai Buddha, whose placid demeanor has long been the emblem of a country with an unsettling inner life.

Elements of that life are suggested in an installation by Kamol Phaovasadi, "Mode of Moral Being," in which a replica of a food vendor's cart common in the streets of Bangkok is fitted out with a video screen showing interviews with call girls, pimps and other denizens of the sex trade. The reference is to the city's international reputation as an Asian center of prostitution for a foreign clientele.

A feminist statement is implicit in this multilayered image of consumption, though other artists deal with the theme of gender more directly. A room-size installation titled "Filipina: DH" by Imelda Cajipe Endaya, for example, with its battered suitcases, black-painted brooms and popular religious prints refers to the exploited labor of Philippine maid-servants working abroad.

Another Philippine sculptor, Agnes Arellano, takes a different approach to the status of women in an Asia society. She elevates body casts of women, old and young, onto pedestals to suggest a pantheon of goddesses. Ravinder G. Reddy of India works in a similar vein. He gives a fiberglass sculpture of a woman the dark blue skin of the male god Krishna, and he scales up a gold-painted, confidently smiling woman's head to monumental size.

The recurrent references to religion in "Traditions/Tensions,"

though in fact rarely devotional in intention, raise problems in a Western context. Comparable images in mainstream contemporary art in New York tend to inspire condescension or discomfort. In Asian art, if the references are understood at all, they may reinforce the cliché of the East as a font of spiritual wisdom and, by implication, little else.

Yet many artists in the show come from cultures in which religion is a serious matter, both as a refuge and as a burden. (The prevalent choice of installation as a format may be explained in part by the presence of altars as central fixtures of everyday Asian life.)

In the polyglot cultures of Indonesia, for example, animism, Hinduism, Buddhism, Islam and Christianity are, for better and for worse, all active forces. Something of their ambivalent energy comes across in an altarpiece installation by Dadang Christanto titled "Kekerasan" ("Violence"), a pyramid of terra-cotta heads, their mouths agape in what could be either communal prayer or a collective howl.

Whatever the attitude toward religion behind such work — critical in Mr. Christanto's case, but by no means universally so among Indonesian artists in general — can the subject itself possibly have any relevance to the highly secularized West? It can and it does, for reasons both negative and positive.

Some of the most divisive ethical and political issues in the United States at present — abortion, gay marriage — are being fought along lines of religious ideology. At the same time, the growing Asian immigrant presence in America is having an invigorating, transformative effect on the country's spiritual demographics: the Buddhist, Muslim and Hindu presence in cities is flourishing. Chicago alone has 50 mosques; New York has a huge Hindu population; San Francisco is home to Thai, Korean, Vietnamese, Tibetan, Sri Lankan and Cambodian Buddhist populations.

But if Asia is exporting such cultural riches to us, what is it getting in return? In art, at least, many things, including a fresh range of expressive forms and a new theoretical language. The results can be exasperating (much of the show's catalogue is hopelessly mired in a pretentious Esperanto of Western academic theory-speak that makes even the subtlest work sound overdetermined). But they are just as often exhilarating.

FILM

New York in the Silents

An Un-Self Conscious Star

By RICHARD F. SHEPARD

IT is hard to think of New York, the city that never sleeps, in terms of silence. And yet the city has rarely revealed itself so outspokenly as it does in the assortment of 20 features and two programs of historic shorts that constitute "The Silent City: New York in the Movies, 1898-1928."

This festival of silent films, to be seen on Mondays starting this week and continuing through Dec. 9 at Film Forum in Manhattan, actually thunders its message: New York is the greatest man-made back lot in the world. The city's concrete substructure, its crowded pavements, its massive upthrust from the surrounding waters — all are to urban movies what the mesas and buttes out yonder are to westerns.

The first gangster films, the first immigrant epics, the great comedies that grew out of the city's sheer ebullience shape this series, which was drawn from an era when New York was the centerpiece of the film industry. Of course, long after the rise of Hollywood, where the days were all the same and no one had to postpone shooting because of the weather, New York has continued to exert its pull. (Where would Woody Allen be without his favorite film set?) But the New York shown in these early silents seems especially pure and unposed.

King Vidor, in "The Crowd" (1928), gets right down to the bone. You gotta be good in this town if you wanna beat the crowd, one of his characters says. The film tells the story of a couple: their first date on the upper deck of a Fifth Avenue bus, the death of their child, their grief and their determination to get on with their lives.

Vidor's cameras range above the skyline, as if in a helicopter, and we see people scurrying about the streets like ants. With such a setting, comedy and tragedy must be normal conditions of life. Joy is Coney Island and its amusement parks, which show up often in the series: Steeplechase, with its thrilling slides and rides, and Luna Park, bathed at night in the glow of many-colored

The city was the greatest man-made backlot in the world.

light bulbs that made it one of the city's most softly radiant fun spots.

And the subways. There is a fascination in these films with the trains underground, starting with a short, untitled clip of the ceremonies opening the first station of the first line at City Hall in 1904. And there is that notorious institution, the rush hour, almost a staple of movies about New York, fact or fiction. The crush wears a different dress these days, but it is still the same old crush.

Steeplechase and Luna Park and the original Pennsylvania Station and trolley cars and milk wagons are no more. But Broadway remains, with the old Times Square looking like the Times Square of today, in shape if not in architecture. Yankee Stadium looks familiar. And although Babe Ruth is gone, the Bambino has a role in "Speedy," the wonderful Harold Lloyd comedy about the last horse-drawn trolley in New York, a film that ends with our hero driving the trolley under Washington Arch, which is happily still in place.

Lloyd whisks the Babe from a children's home to the stadium in a hair-raising fury.

Ruth was a tremendous screen presence, points out Bruce Goldstein, Film Forum's director of repertory programming, who put the series together. The slagger made a series of shorts in the early 30's for Warner Brothers, along with two silent features, in 1920 and 1922. He was comfortable before the cameras. As Walter Kerr notes in a filmed discussion that follows the showing of "Speedy," Ruth's presence was like a second coming.

"Speedy" is the best sightseeing feature in the series. Lloyd races along familiar streets, and the film, made in 1928, shows that City Hall was even then concerned with New York as a backdrop, giving the co-

median the keys to the city. The film is much more spacious than "The Cameraman," another 1928 comedy, which stars Buster Keaton as a neophyte photojournalist cranking away at his camera while covering a Mott Street tong war.

But New York in these movies is as much about mood as about architecture, as Josef von Sternberg demonstrates in "The Docks of New York," with its fog-shrouded East River sets. In this 1928 film, a bawdy dance hall is the trying place for a ship's stoker and a New York woman of the streets. There's a happy ending, in night court, where the scene is not too different from the harried, hurried spectacle of today's criminal court.

"Speedy" and "The Docks of New York" were made toward the end of the silent era, but this festival includes earlier films in which the stone face of New York becomes the backdrop to those eloquently dramatic faces of the silent screen. In 1915, Raoul Walsh made "Regeneration," based on a true story of a former Bowery gang leader who later reformed and turned writer. It has the gritty look of an underclass neighborhood. And according to Kevin Brownlow in his book "Behind the Mask of Innocence," real gangsters appeared as extras, hired because they looked the part and were obviously not actors.

According to Mr. Goldstein, three themes emerge in these silent films: tenement life, the life of Broadway show people and the Wall Street whirl. Social distinctions are also drawn, with Macy's shopgirls, for example, living on Avenue A. And there are films about New York immigrants that look like Jacob Riis photographs come to life. Immigrants are shown landing on the Battery in a boat from Ellis Island, as in "Traffic in Souls," a 1913 film about white slavery. And consider "Gretchen the Greenhorn," made in 1918 with Dorothy Gish as a Dutch immigrant and a slim Eugene Pallette as a villain. The recently rediscovered film was restored by the U.C.L.A. Film and Television Archive, and this screening may be the first one in New York in 80 years.

PUZZLE OF THE FUTURE

BY MERL REAGLE / EDITED BY WILL SHORTZ

- ACROSS
- 1 Dove home
- 5 Futuristic genre
- 10 Sweet
- 16 Heart hurt
- 17 "Is Paris Burning?" co-star
- 18 "Who controls the past controls the future" book, with 22-Across
- 20 "Future Indefinite" autobiographer
- 22 See 18-Across
- 24 Quiz feature: Abbr.
- 25 Put — to (squelch)
- 26 1958 Ritchie Valens hit
- 27 "We — please" hit
- 28 Did salon work
- 30 Castle strongholds
- 32 Does hand shuttle work
- 33 They can give you fits
- 34 Utah park
- 36 Alpaca's home
- 38 Nevada county
- 39 Jai
- 40 The Mariners' airport
- 42 Night sight
- 44 He wrote "The Wave of the Future"
- 47 Kind of lighting
- 50 Soft palate extensions
- 54 Overly
- 55 S. C. Johnson's Future, for one
- 57 "The Once and Future King" setting
- 60 To fly on Alitalia
- 61 1945 conference site
- 62 "Do Ya" rock grp.
- 63 "Future noir" film of 1982
- 65 Sheet music abbr.
- 68 The bucking stops here
- 71 Opts
- 72 "The future of law enforcement"
- 75 "He's a little worried about his future"
- 77 Having magnitude only
- 79 Pacific islander
- 80 6 on your dial
- 81 Futurity
- 84 Dove home
- 86 Flat friend
- 88 Colombia city
- 90 Egypt's — Simbel
- 93 Pot emission
- 96 Not be discreet
- 97 Classic Burris-Smith song — the Jack
- 99 Greeting for Legree
- 101 Reason for an identity crisis
- 103 Relates again
- 104 Certain berth
- 106 Cove
- 107 Southernmost city in Illinois
- 109 Canine command

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110														113
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117														119

- DOWN
- 1 Double-deck game
- 2 Big Band singer
- 3 Fought-over peninsula
- 4 Orinoco shocker
- 5 Muffin alternatives
- 6 Fulfilled a crowing need
- 7 Where Qum is
- 8 Futura maker
- 9 Party outsider: Abbr.
- 10 Enlist
- 11 Takes one's mits off
- 12 Lay one's mits on
- 13 "Comin' —" (3-D western of 1981)
- 14 Attach anew, as lug nuts
- 15 Navy enlistee
- 18 Black-clad mercenary
- 19 Bats

- 21 Crunch's rank
- 22 Awfully long time
- 23 White house bud, in the future
- 26 Lady of Brazil
- 29 Grosse —, Mich.
- 30 "The lady protest too much": Shak.
- 31 Trap
- 34 Today's dodo count
- 35 Literary plotter
- 37 Old Italian royal house
- 40 Alit
- 41 It's hard, on your feet
- 43 Actress Lenska
- 45 Abbr. at an exchange office
- 46 Chucklehead
- 48 Horse color
- 49 "Hee Haw" fodder?
- 51 Cousin of Corinthian pink
- 52 105-Down, notably
- 53 Tacky?
- 55 Long suit
- 56 Wipe out again
- 57 Popular mints
- 58 Is he seeing you?
- 59 On-line need
- 60 Missile's heading
- 64 Reunjoongoer
- 65 Admissions post
- 66 Character
- 69 They may clash on the set

- 70 Future doctors' tests
- 73 No. in circular signs
- 74 Future teller
- 76 A Pointer sister
- 77 "Brave New World" joy juice
- 78 Manger upgrade
- 81 Hidalgo hi
- 82 Summons
- 83 Maker of Darvon and Prozac
- 85 "Fall River Legend" choreographer
- 87 Passing piece
- 89 Chic
- 90 Extremely busy
- 91 Two-legged rifle mount
- 92 e. e. cummings, e.g.
- 94 Invalidates
- 95 Soccer game outcome?
- 97 Greenish blues
- 98 Pile paricle
- 100 Papyrus's family
- 102 French possessive
- 103 Standard practices
- 105 Strikeout king
- 107 Journalist Bernstein
- 108 "Turandot" tune
- 111 Airport shuttle
- 112 Bud
- 113 Spreadsheet pro

ANSWER TO PREVIOUS PUZZLE

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Handwritten Arabic text: 150 من الالمان



The chicken lady of Jerusalem

A Jerusalem great-grandmother has endeared herself to thousands by making sure the city's needy get a proper meal on Shabbat, Ronda Robinson reports

IT'S a Friday afternoon, Shabbat waits in the wings, and Clara Hammer is clucking about her butcher bill. The week after Rosh Hashana, she faced a tab of NIS 4,000. She tells a visitor to her modest Ramat Eshkol apartment that after Succot, she'll be satisfied if her bill doesn't top NIS 6,000.

The lively 86-year-old known as "The Chicken Lady of Jerusalem" has made it her job to give the neighborhood butcher plenty of business. A great-grandmother of 31, she has many mouths to feed, but not from her own brood.

Long ago she spearheaded a fund which provides Shabbat chickens for needy families across Jerusalem.

It all began 15 years ago, when Hammer stood in line at the butcher's to buy chicken for Shabbat. She noticed a young girl in front of her receiving a plastic bag filled with chicken fat and skin. Curious, she asked the butcher, "How many cats or dogs does that family have?"

He explained that the family had many children and the father was on dialysis. Because of their financial difficulties they had run up a tremendous bill, so the butcher now just gave them fat and skins for a soup for Friday night and a cholent for Saturday.

"I said, 'You give them every week two chickens and a half kilo of turkey, and I will pay for it,'" recalls Hammer, sitting at her dining-room table, the nerve center of the operation that encounter spawned.

The butcher began telling her of other families who needed help. A retired Hebrew teacher, Hammer couldn't keep providing chickens by herself, so she spread word to her three children and 10 grandchildren, and little by little the fund grew.

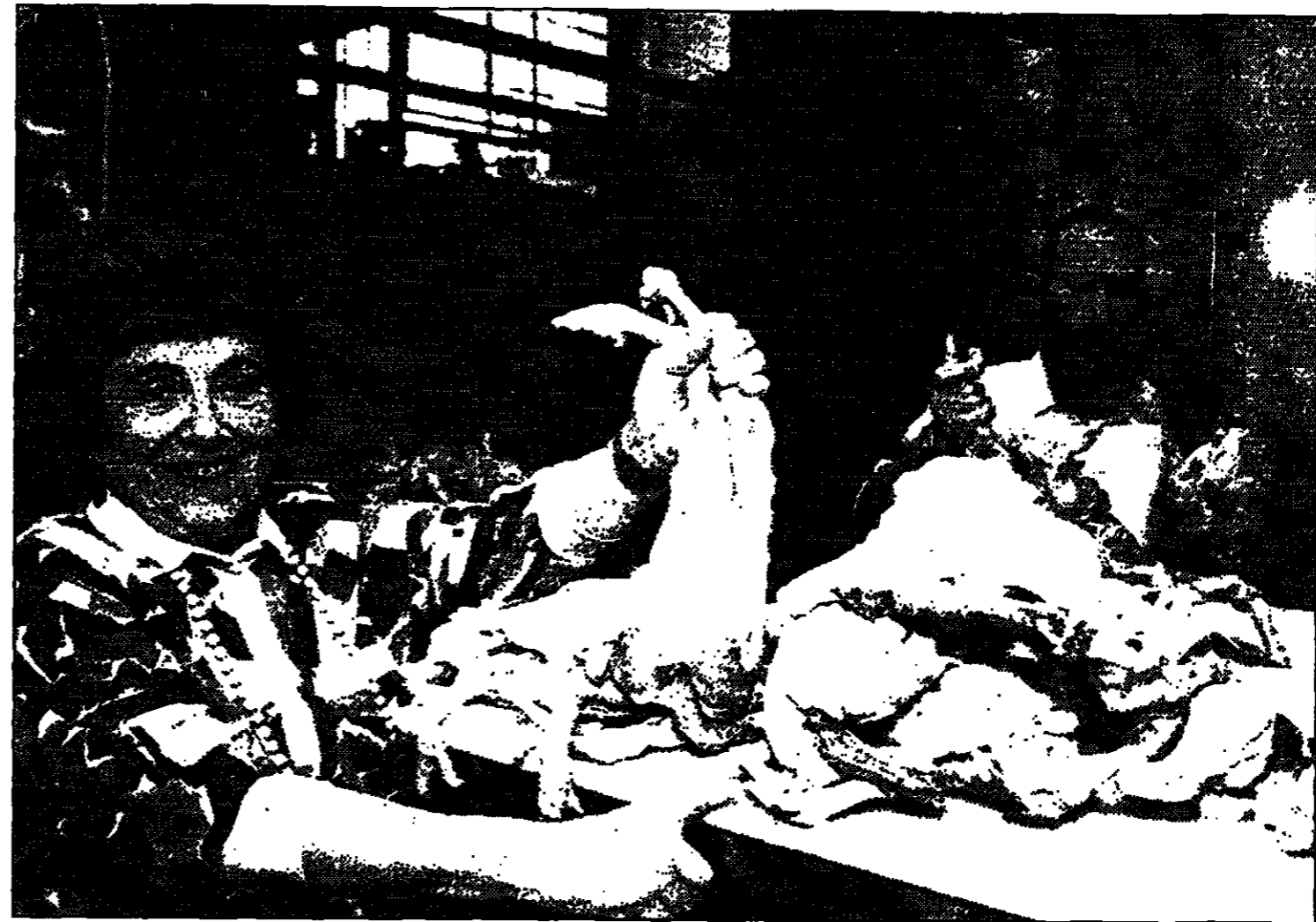
So how many families does she serve? Gladly, she reports: 87, then weaves a little story. She turned 86 on May 19. The next day the phone rang and the caller asked if she would take on another family. "I said, 'Sure. That's my deposit for another year to live.'"

Her insurance keeps growing. Last year she had 66 families and paid the butcher NIS 124,920. Those under her wing include new immigrants, widows and people suffering from serious illness or disabilities. They receive free chickens every week or a substitute if they happen to be vegetarians. Ever handy with a quip, she says, "Just because they're vegetarians, I don't have to punish them."

Rabbis, social workers and friends send her referrals. Sometimes Hammer initiates her own searches. For instance, when she heard about a family in which the mother had committed suicide, she dispatched a granddaughter to that neighborhood.

The granddaughter found a neighbor to serve as a liaison with the family. The neighbor took the family Shabbat chickens until the man felt strong enough again to re marry.

Hammer tries to follow Maimonides' principles of charity, the highest form of which is to help someone get back on his feet. While she remains anonymous to most of the families, she visits the



For 15 years, Clara Hammer (left) has helped provide Shabbat chickens for scores of needy families in Jerusalem. (Brian Henders)

money comes through. "I'm a great believer," Hammer says. "I don't daven every day. I don't always say the *benching*, but I have a tremendous belief in God, because several times I was in terrible danger... I feel Hashem chose me to do this. I want to do it as long as He wants me to carry on."

"I also have a tremendous amount of sympathy, what we would call *rahmanut*, for people who are hungry, thirsty, in pain, have any type of needs," she adds.

At the age of nine, she survived a pogrom in the Ukraine and fled with her family to Romania. Her mother was captured and returned to Russia, and her father, she and two siblings were imprisoned five months for entering Romania illegally.

Donors to her chicken fund receive a handwritten thank-you card and a copy of an article about the effort. She has captured headlines in various magazines and newspapers. A *haredi* publication featuring her ran a photo only of the chickens, since photos of women are not published in the *haredi* press for reasons of modesty.

As if conditions weren't hard enough, they battled a case of the measles. When the family finally reunited, her mother had contracted tuberculosis. The family came to Palestine and lived in a tent for three years. With no hospital care available, they were advised to leave for the US. Her mother died two years later, when Hammer was 14.

When she was 17, Ephraim Hammer, a fellow Hebrew teacher, proposed. "I said, 'I'll marry you if you take me back to Eretz Yisrael,'" she recalls. The couple married in 1928 and made aliyah. Her husband died 10 years ago.

In 1994, Mayor Ehud Olmert honored her with the Jerusalem Prize for Good Citizenship for her chicken-fund initiative. Danny Siegel, a well-known champion of charity causes, sent her a letter of appreciation from the US for her contribution to *rikkan olam* (creating a better world).

While Hammer enjoys the kudos - a photo of her with Olmert claims an honored spot on her bookshelves, amid family pictures, Jewish texts and chicken knickknacks - she treasures poems and letters from the public.

A year ago, a newly engaged couple in Florida sent \$200 with a note asking her to share their *simha* with those less fortunate. Hammer obliged by taking a group of Russians out to a restaurant and topping off the meal with vodka.

Division of spouses' property after divorce

In the Supreme Court, sitting as a Court of Civil Appeals, before Justices Gvrieli, Bach, Theodor Orr and Mishael Cheshin, in the matter of Shulamit Levy, appellant, versus David Levy, respondent (C.A.81/94).

SHULAMIT and David Levy married in 1953, and have six children. They quarreled frequently, and Shulamit often left home because of David's violence towards her. In 1973 he went through a marriage ceremony with another woman who had borne him a son, but despite this he would not grant Shulamit a divorce. However, from 1968 the parties had lived together only periodically, and in 1993 he eventually gave her a divorce.

After their marriage the parties lived in David's father's home. In December 1963, on Shulamit's initiative and through her efforts, the Israel Lands Administration sold her the rights to a piece of land for building the couple a home. The land was registered in her name.

The building was erected in stages. Parts of it were occupied by children of the parties, and part was leased. David, relying on the principle that the property of a married couple living together in a joint household belongs to them jointly, lodged a claim in the Tel Aviv District Court for a declaration confirming his full partnership in it. His claim was allowed,

and Shulamit appealed to the Supreme Court.

JUSTICE BACH gave the court's judgment. The District Court, he said, found that David had brought contractors who worked on the building, had himself taken an active part in the first stages, and had also paid part of the costs. He would not have done all this, it held, had he not regarded himself as a partner in the land and the building.

It also held that the stormy relationship between the parties did not displace the presumption of partnership between them. Shulamit's counsel had submitted, he continued, that she alone had financed the purchase of the land, and the building. He had also stressed that the parties did not have a joint account, which indicated a clear division of their property.

He also argued that even if David's version was correct, what he contributed in work and money was a gift to compensate Shulamit for the misery he caused her. Shulamit also submitted that the registration of the property in her name was the clearest possible indication of her ownership, since in the Yemenuite community, to which the parties belonged, that would not be acceptable unless she were indeed the owner.

David contended that the birth of three children after the purchase and completion of the building was enough to prove the couple's

LAW REPORT ASHER FELIX LANDAU

joint home. He also explained that he agreed to the registration in Shulamit's name to prevent attachment of the property by his creditors.

CITING numerous precedents, Justice Bach then examined the development of the doctrine of spouses' joint ownership of their property. At first it was held that in the absence of an agreement, or where the parties' intentions were not clear, the property was regarded as owned jointly. It was later held, however, that the spouse claiming joint ownership had to prove the marriage was harmonious, and the property was acquired by their joint efforts. This requirement was also later whittled down, it being sufficient to show that a couple lived jointly and happily under one roof.

Later precedents gave the expression "happy home" an objective twist, embracing living together and joint efforts in acquiring the property, even if there were continual and lengthy quarrels. While the status of marriage alone was insufficient, one scholar had written that marriage and living together was now enough to apply the partnership doctrine.

It had also been held, he said, that a spouse who was responsible

for a marriage breaking up did not thereby lose his or her property rights. Moreover, while adultery or leaving the home could terminate the spouses' joint living, the guilty party did not thereby forfeit joint property rights previously acquired.

Shulamit had pointed to David's relatively small contribution to the purchase of the land, and to the building. The court, however, held it would not closely scrutinize the parties' relative efforts. It was the joint living that primarily governed the creation of their partnership. It was also relevant in this case that the couple had first lived in David's parents' home, and his father, so it was alleged, had helped David to assist in the purchase of the land and the building costs.

All the precedents showed that the burden of disproving the partnership was very heavy indeed. Justice Bach also noted that in most cases it was the husband who contributed the major share of the initial expenses, so that the wife gained from the partnership. This case, however, was an exception, and the wife had not established sufficient grounds for denying the husband's rights.

He also noted that the partnership presumption could be rebutted by the nature of the property such as an inheritance or separate bank accounts, which could indicate separate ownership. However, that could not apply to the couple's only home which they

acquired jointly, and in which they lived with their children.

He also could not accept Shulamit's submission that David had waived his rights by the long delay in lodging his claim. It was doubtful if the delay was excessive. David had explained that he agreed to register their property in Shulamit's name to avoid the attachment of the property by his creditors. Indeed, a lien had been placed over the property which was only canceled in 1987.

In any case, the court would hesitate to recognize a waiver by delay unless third-party rights were affected. It was possible in certain circumstances to regard the registration of the property in the wife's name as a gift. However, the relationship between the parties in the present case precluded any such finding.

Finally, Justice Bach remarked that in 1970 one of the sons had improved the building. It was possible, therefore, that he, and perhaps Shulamit, had some sort of claim against David in this regard. However, the District Court had not dealt with this aspect, and the court would therefore express no opinion on it.

FOR the above reasons the appeal was dismissed, with no order as to costs. David Shalom appeared for Shulamit, and Binyamin Shefayim appeared for David.

The judgment was given on July 31, 1996.

Environmental group to study dirty secrets of Israel's water

EARTHLY CONCERNS D'VORA BEN SHAUL

IT has long been a point of pride for Israelis that this is one of the very few countries in the Middle East, Africa and Asia where the tourist need not be cautioned about drinking the water from any tap. However, a recent pilot study done by the Israel Union for Environmental Defense shows that the quality of the water we drink is declining and that there may be some health hazards involved that the authorities have ignored.

In a pilot study that is to precede a nationwide water sampling, the UED found that most of the water coming from household taps contains lead in excess of the amount permitted in most Western countries and that other chemicals, heavy metals and microbial pollutants were also detected. Tap water in Beit Ha'ayin, Kafir Kasim and Tzorah showed contaminants of heavy metals, nitrates, nitrites and bacteria.

One of the problems is that there simply may have to be some changes in the methods used by the Health Ministry and other authorities in the collection and examination of water in order to more accurately assess the amount of pollutants present. But until now, whenever anyone, no matter how well accredited, produced results other than those found by the Health Ministry, the ministry said that it had doubts about the results' accuracy.

Furthermore, the ministry has never made these results available to the general public. In fact, the results of these samplings are such a well-guarded secret that scientists appointed by the Environmental Ministry were

denied access to Health Ministry data.

All this is by no means new. The Environment Ministry has been on record for several years as saying that the quality of drinking water is not satisfactory and that it is rapidly worsening. But so far no real steps have been taken to alleviate this situation.

No move has been made to stop the disposal of used batteries in garbage dumps, although it is known that in the course of time these batteries drain into the soil and eventually the lithium, cadmium, zinc and lead they contain is leached from them and percolated through the soil to reach the water reserves. This doesn't happen overnight and it cannot be corrected overnight since there is a lot of material out there that hasn't leaked out yet. (In fact, today we are most likely drinking the contents of all those batteries used in radios and in lighting equipment almost 30 years ago during the Six Day War.) However, a start must be made somewhere or the problem is simply going to get worse.

This is also true of the overuse of nitrate fertilizers in some agricultural areas, in the matter of leaking cesspools and sewage lines and in the pollution from industry. All of these contribute to the chemical or bacterial contamination of our water.

The UED will soon publish information on sampling methods for the local and national authorities and for the use of the general public, whose cooperation it wishes to enlist. All data collected will be made available to the public.

Australian humor fights off external influences

WHAT does an Australian Aborigine call a boomerang that doesn't come back? A stick.

Australians have a peculiarly dry sense of humor. They also have a humor constantly under threat from offshore comedy.

US comedies like "The Nanny" and "Seinfeld" now dominate Australian commercial television, just as British comedy programs such as "Are You Being Served?" did a generation ago.

"American influence used to be like a dripping tap, a bit like the Chinese water torture," says broadcaster Phillip Adams, who has compiled a book of Australian jokes. "Now it's like a huge fire hose and it's just blowing Australia's comic identity off its feet."

Home-grown comedy has always struggled to gain television air time as it is cheaper to buy British or American shows.

But Frontline, one of Australia's most successful comedy production units, has proved a rare exception.

It has just sold two programs, a news satire *Frontline* and a police satire *Funky Squad*, to the United States and Britain after successful runs on Australian state television.

But what is Australian comedy? "The old Australian humor was heavily ironic and very like Jewish humor because it was dealing with vast amounts of unpleasantness," says Adams.

"God has a very bleak sense of humor in Australia, so people who struggle with drought for five or

10 years suddenly find themselves swept away in a flood," he explains.

"If you live in a country where you go from drought to flood to bushfire in quick succession you develop irony, you develop a pretty tough, leathery, Jewish-style humor."

Jewish humor tends to be dry and self-deprecating, developed over the years as a protective shield against discrimination and adversity, Adams said.

Australian comics say American humor is often patriotic, wrapped in the "Stars & Stripes" flag, British is cynical, while Australian comedy is irreverent and rooted in

its convict past.

"The general street humor is anti-authority and heavy with irony," says Shane Bourne, a second-generation stand-up comic.

But some comics say Australian humor is now becoming homogenized, leaving the country's cartoonists as the only peddlers of quintessential Aussie comedy because newspapers provide them a forum safe from overseas challenge.

"I think cartooning, as distinct from every other form of humor, has been miraculously spared," says Bill Leak, cartoonist with the national newspaper *The Australian*.

A generation ago Australian comedy was Anglo-Celtic in origin, epitomized by Australian comic Barry Humphreys's drag character Dame Edna Everidge - a middle-class, white housewife.

But the face of Australian comedy is changing as a result of decades of immigration. Even racial jokes now seem almost acceptable - if told by an ethnic comic.

Mary Coustas parodied her own generation of children of Greek migrants in the television show "Acropolis Now" and stage production "Wags Out Of Work" in the late 1980s and early 1990s. "In the shows we used a lot of

stuff thrown up against us when we were growing up... it is quite sad and funny at the same time," says Coustas.

Coustas says racially oriented jokes, rather than being damaging, actually encourage cultural pride. "Yes it does, because it makes things public about our culture... the fact that we have a very interesting culture, in that we are very emotional," she says. (Reuter)



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BUSINESS & FINANCE

Monday, September 30, 1996

Jordan bars foreigners from 15 professions

AMMAN (Reuters) - Jordan, desperate to provide more jobs for its growing unemployed, announced it was closing 15 professions to foreign workers by the end of the year.

Labor Minister Abdul-Hafez Shakhanbeh told the state-run news agency Petra these jobs would go to local people.

The "closed professions" include hairdressing, medicine, engineering, administration, secretarial and retail businesses, and jobs as drivers, messengers, guards, decorators and gas station workers, excluding those working in stations outside Amman.

A cut in foreign workers could also help remove low-cost competition for jobs.

Jordanian officials say unemployment is 15 percent of a 900,000 labor force, but economists estimate that it is at least 25%.

Shakhanbeh gave no further details but said the ban would be enforced by checks on employers and "no exceptions will be made under any humanitarian or other circumstances."

The government of Prime Minister Abdul-Karim Kabariti announced measures to boost private investment and create jobs after riots in August over a hike in the price of bread.

Nearly 75% of foreign workers are Egyptians in low-paid, seasonal, manual jobs avoided by many Jordanians.

The construction sector has more than 60,000 foreign employees and thousands more work in agriculture and cleaning.

Trustees veto sale of UMB's NY subsidiary

THE trustees of United Mizrahi Bank and Trust Company, United Mizrahi Bank's New York subsidiary, have vetoed the bank's sale to Commercial Bank of New York at this stage, a banking source said yesterday.

Two of the bank's trustees, banking consultant William Isaac and Prof. Eliezer Sheffer, have instructed Mizrahi to offer the subsidiary to other potential buyers, despite the letter of intent already signed with Commercial Bank of New York.

About six months ago, Commercial Bank of New York, owned by Brazilian banking magnate Edmundo Saffide, signed a letter of intent to acquire United

GALIT LIPKIS BECK

Mizrahi Bank and Trust Company for NIS70 million.

A UMB spokesman refused to comment on the development.

Banking sources said the trustees' objection to the letter of intent is due, among other reasons, to the fact that it was reached behind their backs. Their objection is also due to a series of complaints from the Safra family, the owners of Republic Bank, which in the past have expressed interest in purchasing UMB Trust.

Following the Ofer-Wertheim group's purchase of UMB's controlling share in January 1995, the shares of UMB New York were

put in trust. The trustees have very broad powers regarding the shares of the bank, including sole power to approve its sale.

The Ofer-Wertheim group's decision to sell the subsidiary is in line with their preference to get out of international activities and concentrate on the bank's operations in Israel.

During the last few years, UMB New York has suffered large losses, resulting from the crisis in the US real estate market at the start of the 1990s, which hit most of the Israeli banks' US operations. In the last two years, the bank has undergone a recovery process, including reduction in activities and sale of assets.

BUSINESS BRIEFS

Orckit raises \$52.8m. in IPO: Orckit Communications, a Tel Aviv-based telecommunications company, raised \$52.8 million in its initial public offering on Wall Street's Nasdaq over-the-counter exchange. Following a postponement in trading due to oversubscription, the stock began trading at \$16, \$2 higher than originally expected, and closed at \$19.8. The sale represents a company value of \$226m. The public holds 23.3% of the company's shares.

Jennifer Friedlin

Closure keeps grapefruit on the trees: The closure on the territories is making it difficult for citrus farmers in the North to harvest their red grapefruit crops, a spokesman for the farmers said. Due to the closure and the refusal of the government to import any more foreign workers, the spokesman said the harvest will be delayed and the fruit will not be ready for export.

Jennifer Friedlin

Admoni, Sagi set up private intelligence company: Former Mossad head Nahum Admoni and IDF Intelligence Service head Uri Sagi have set up a private intelligence company, together with other recently retired officers and the financial backing of retired civil servants. The firm, Business and Political Intelligence, will supply intelligence information, political and economic research, and advisory services to international clients.

Since leaving the Mossad, Admoni acted as general manager of the water company Mekorot. Among those joining Admoni and Sagi are ex-intelligence head of research Uri Ne'eman, and former Finance Ministry director-general Ezra Sadan.

David Harris

Israeli firms expected to raise \$1b. this year in NY flotations: Some \$1 billion will be raised this year by flotations of local firms in New York, according to Treasury estimates. Those already floated this year "are a further testament to the belief foreign investors have in the Israeli economy and Israeli companies," said Finance Minister Dan Meridor during his current US visit.

David Harris

Flour producers want PA to allow imports of Israeli flour: The Organization of Israeli Flour Producers is calling on Industry and Trade Minister Natan Sharansky to persuade the Palestinian Authority to reverse its decision to refuse the import of Israeli flour. The organization says the ban is in contravention of agreements signed between Israel and the PA.

David Harris

Meridor, Frenkel at IMF annual meeting

DAVID HARRIS and news agencies

THE annual meeting of the International Monetary Fund and World Bank starts in Washington today and will be attended by Finance Minister Dan Meridor and Bank of Israel Governor Jacob Frenkel, who are leading the Israeli delegation.

The Palestinian delegation, which is headed by Palestinian Authority Finance Minister Zahdi Nashashibi and Palestine Monetary Authority director Fuad Bseio, will call for the fulfillment of the pledges by the donor countries, help in combating the PA's increasing budget deficit and aid for job-creation projects.

The conference takes place immediately after gatherings of both the G-7 leading industrial nations and G-24 group of developing countries over the weekend.

The G-24 decided on Saturday to drop its traditionally confrontational attitude toward the G-7. Finance officials of the G-24 - which groups African, Asian, and Latin American countries - said they now want to try a more constructive approach to influence world financial policies.

The G-7 forecast better times ahead for the world economy and pledged to help poor nations benefit from the expected prosperity.

As a part of a multilateral debt relief initiative, the G-7 pledged to sharply expand its aid for poor countries saddled with too many foreign loans.

The G-7 and other creditor countries are now prepared to write off up to 80 percent of their loans to eligible poor nations, up from 67%. That should pave the way for the formal launch of the multilateral debt relief plan during the IMF/World Bank meeting.

The IMF interim committee was yesterday expected to approve a multibillion dollar plan to provide debt relief to the world's poorest countries and to discuss proposals to boost its resources for dealing with financial catastrophes and handling its day-by-day responsibilities as overseer of the world economy.

Meanwhile, on arriving in the US, Frenkel told prospective US investors that "a deep, broad and open capital market for foreign investors is essential."

The proposals of the Brodet Committee on reforming capital markets were "by and large very productive," he added. "But there are some elements that are controversial."

The central bank governor called Meridor "the champion of trade liberalization," at a time when this is an unpopular stance.

He also said the current unrest in the territories should be "less relevant" to those looking at mid-term investments.



Workers from the Indian subcontinent, taking advantage of the United Arab Emirates' amnesty on illegal immigrants, wait in long lines at Dubai airport for their final trip home yesterday.

UAE extends illegal immigrant amnesty

DUBAI (Reuters) - The United Arab Emirates on Saturday extended an amnesty for illegal immigrants, giving tens of thousands of people from the Indian subcontinent and southeast Asia another month to legalize their stay or leave.

Floods of illegal immigrant workers have been scrambling to get out of the oil-rich Gulf Arab state by plane and boat to avoid tough new penalties when the amnesty expires and a new law cracking down on illegal labor comes into force.

The previous amnesty was due to expire on October 1, and with airlines and shipping companies unable to cope with the mass exodus, diplomats feared thousands

would be stranded in the UAE after the deadline.

"It has been decided that the amnesty period is extended one more month until October 31, 1996, to enable those remaining offenders to benefit from this temporary exemption," an Interior Ministry statement said.

"The ministry hopes that this matter will be taken very seriously without any delay in order not to find it necessary to take the strict legal procedures..." it added.

Jamal Sanad Suwaidi, the secretary-general of the committee for the demographic structure of the UAE, which is in charge of the amnesty, said he expected some 140,000 illegal workers to leave the country.

"By Monday I expect around 70,000 people will leave the country and for the following month I think it will be a similar number and most of those people are illegal in the UAE," he said.

He added that the move was prompted by political, economic and security factors.

"With this huge number of illegal workers in fact what they are doing is they are creating an illegal labor market and creating at the same time economic hardships for themselves and for other workers in the country," Suwaidi said.

"So I think it's an important decision and it's about time that the decision was executed. It's a normal trend all over the world," he said.

Matav buys 20% of Polish phone company

GALIT LIPKIS BECK

MATAV - Cable Systems Media, one of the country's leading cable TV operators, has signed an agreement to purchase 20 percent of Polish telephone developer RP Telekom (RPT) for nearly \$27.5 million, the company announced yesterday.

RPT - which is owned by a conglomerate of American, Israeli, Swedish and Polish investors - owns through subsidiaries licenses to compete with Poland's state-owned phone company, TPSA, by establishing and operating phone lines in various regions, covering a combined population of more than 7,000,000 people.

The agreement was signed with Trefoll Capital Investments, a fund with investments in the US and Poland, and Shamrock Holdings, the parent company of Shamrock

Holdings of California. Shamrock controls 7% of RPT's shares.

In an announcement to the Tel Aviv Stock Exchange, Matav said it will purchase all of Trefoll's shares in RPT, accounting for 1.57 million shares, representing 20% of the company's issued share capital.

Following the sale, Shamrock will continue to own 3% of RPT's shares.

According to the agreement, Matav has agreed to make additional investments in RPT's equity, in accordance with Trefoll's and Shamrock's obligations. Matav also agreed to guarantee RPT's loans up to a maximum sum of \$19m.

Matav, founded in 1987, is owned by Dankner Investments, Hapoalim Electronic Communications and Hanania Gibstein, which each hold about 20% of the company.

Visit of Japanese investors next week to go ahead

DAVID HARRIS

DESPITE the current tension between Israel and the Palestinians, a delegation of potential investors from Osaka, Japan will arrive here next week to examine the possibilities of establishing companies here.

The group of 22 businessmen will represent the satellite communications company Itocru; the consumer electronics manufacturer Sanyo Electric; the gas supplier Osaka Gas and the medical supplies firm Dainippon Pharmaceutical.

The delegation, which will be led by Osaka Chamber of Trade chairman Teruo Hotta, comprises employees from a variety of management levels.

During their stay, the industrialists will meet Trade and Industry Minister Natan Sharansky, visit a number of factories, particularly in the high-tech field, and participate in a seminar under the auspices of the Israel Export Institute.

Following the Cairo economic summit, scheduled for November, the presidents of 28 leading Japanese corporations are expected to visit here, in what will be the most senior private sector delegation from Japan to visit Israel.

ISRAELI MONEY MARKETS					
Patah (foreign currency deposit rates) (11.9.96)					
Currency (deposit for)	3 MONTHS	6 MONTHS	12 MONTHS		
U.S. dollar (\$250,000)	4.750	5.000	5.575		
Pound sterling (£100,000)	3.875	4.000	4.575		
German mark (DM 200,000)	1.825	1.625	2.125		
Swiss franc (SF 200,000)	0.625	0.750	1.000		
Yen (10 million yen)					
(Rates vary higher or lower than indicated according to deposit)					
Shekel Foreign Exchange Rates* (27.9.96)					
CHECKS AND TRANSFERS	BUY		SELL		Rep. Rate**
	Buy	Sell	Buy	Sell	
Currency basket	3.5972	3.5943			3.5679
U.S. dollar	3.1845	3.2156	3.11	3.27	3.1920
German mark	2.0774	2.1110	2.04	2.15	2.0663
Pound sterling	4.9421	5.0219	4.85	5.10	4.9810
French franc	0.8141	0.8241	0.80	0.84	0.8200
Dutch florin (100)	2.8591	2.9053	2.81	2.95	2.8848
Japanese yen (100)	1.8513	1.8512	1.81	1.81	1.8583
Swiss franc	2.5235	2.5543	2.48	2.60	2.5460
Swedish krona	0.4759	0.4835	0.46	0.50	0.4803
Norwegian krona	0.4875	0.4854	0.47	0.51	0.4815
Denish krone	0.5407	0.5495	0.53	0.56	0.5456
Finnish mark	0.8521	0.8503	0.82	0.88	0.8579
Canadian dollar	2.3129	2.3033	2.28	2.39	2.3322
Australian dollar	2.5064	2.5468	2.46	2.59	2.5279
S. African rand	0.6981	0.7094	0.63	0.71	0.7042
Belgian franc (10)	2.9528	3.0008	2.90	3.05	2.9726
Austrian schilling (10)	2.0782	2.1178	2.04	2.15	2.0975
Italian lira (1000)	4.4000	4.7000	4.40	4.70	4.5167
Jordanian dinar	0.9000	0.9000	0.90	0.98	1.0055
Egyptian pound	3.9636	4.0276	4.96	5.26	3.9888
Irish punt	5.0879	5.1467	4.98	5.26	5.1088
Spanish peseta (100)	2.4704	2.5103	2.42	2.55	2.4921

*These rates vary according to bank. **Bank of Israel. SOURCE: BANK LEUMI

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Bid No. 294-0021-C-00-6560-00-22 Monitoring Wells - West Bank
Constructing six monitoring wells, between 300 and 700 m. deep, in the West Bank, between November 28, 1996 and September 30, 1997.

Bid No. 294-0021-C-00-6560-00-30 Water Supply Wells, Hebron-Bethlehem area in the West Bank.
Constructing pairs of water supply wells, 350 to 850 meters deep, at three different sites in the Hebron-Bethlehem area of the West Bank, between November 29, 1996 and March 31, 1997.

Bid No. 294-0021-C-00-6560-00-50 Water Supply Wells, Jenin, Nablus and Ramallah area in the West Bank.
Constructing pairs of water supply wells, 350 to 850 m deep, at three different sites in the Jenin, Nablus and Ramallah area of the West Bank, between July 11 and November 22, 1997.

Interested contractors may obtain pre-qualifications forms and an information package by contacting:

In West Bank, Palestine
CDM/Morganti
Orabi Building, Ramallah-Jerusalem Road
P.O.Box 895, Ramallah
Tel. 050-502-804 or 050-458-706
Fax. 02-998-7246

In the United States
Morganti Group - West Bank/Gaza Project
100 Mill Plain Road
Danbury, CT 06811, USA
Tel. (203) 743-2675
Fax. (203) 830-4478

Deadline for submitting the pre-qualification documents will be October 1, 1996.

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Redemption Price: 109.95

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סוכן לראשי

China halts sale of Microsoft's Windows 95

BEIJING (Reuters) - Microsoft Corp has been forced to stop shipping its Chinese language Windows 95 operating system in China after the discovery of politically offensive phrases hidden in the software, officials said yesterday.

Beijing has ordered the US giant, once snubbed in China amid official anger at its political insensitivity, to halt sales of the mainland China version of Windows 95 and to cut out the offending language, a Chinese software official said.

Chinese computer users said the phrases included the once commonly used Taiwan epithet "communist bandits" and "Taiwan independence," a phrase always likely to infuriate members of Beijing's Marxist-Leninist leadership, as well as a graphic showing a map of China without Taiwan.

A free software update designed to eliminate the offending phrases would be posted on the Internet worldwide computer network, and sent to all registered users and distributed to retailers, said Microsoft spokesman Bryan Nelson.

The offending phrases and graphic appeared to have been introduced by contracted programmers in Taiwan, Nelson said.

Users found the problem phrases hidden among the thousands of Chinese words in a Windows 95 dictionary that could be inserted in text using keystroke shortcuts. Nelson said by telephone from Hong Kong.

"Under certain combinations of keystrokes you could come up with some phrases that we didn't think are culturally appropriate," Nelson said. "We have... developed a fix to take care of the issue."

Microsoft last Monday halted shipment of new copies of the mainland version of Windows 95, which uses simplified Chinese characters unlike the traditional forms used in Taiwan and Hong Kong.

The discovery in Windows 95 of phrases once favored by Beijing's Nationalist rivals in Taiwan has marred a hard-won return to Chinese favor by the US firm.

Microsoft, whose negotiations with Beijing were once described by a Chinese official as "a battle

of strength," had in recent months trumpeted its improved ties with the mandarins guiding one of the world's fastest-growing software markets.

The March 1996 launch of the mainland version of Windows 95 with much fanfare in Beijing's Forbidden City received a warm welcome from some of China's senior software officials, in stark contrast with the reception accorded Windows 3.1 in early 1994.

The earlier operating system was snubbed by the government partly because it was brought to the market by a team stacked with executives from Taiwan and featured a character input system favored by Beijing's island arch-rival.

Sino-Microsoft ties warmed after a change of approach by the US firm that included the transfer of its Greater China headquarters from Taiwan to Hong Kong and promises of joint software development with Chinese firms.

Few Chinese customers had been aware of any problems with Windows 95's political vocabulary, because the keystrokes in question were rarely used, said an

official of Microsoft's Beijing agent Ximlong International Co.

The halt on shipping would have some impact on sales, said the official who declined to be named. She gave no details.

Microsoft said in March it expected sales of Windows 95 in China to be worth at least \$5 million.

Microsoft's Nelson said the total cost of issuing the update and producing a new version of Windows 95 was still unclear.

"I don't think it's huge sums," he said, adding Microsoft would spare no expense to ensure satisfaction among its hundreds of thousands of Chinese customers. About 75 percent of Chinese computer users have the software, he said.

The goodwill Microsoft had built up over the past few years with Chinese officials was far from threatened, he said.

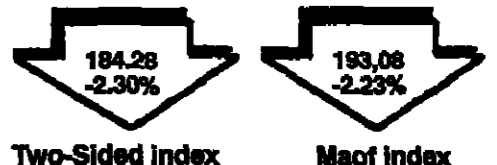
"We've had an incredibly positive experience working with the Chinese government this week," he said.

"It just kind of furthers some of the relationship that we've been building."

Shares fall sharply

TEL AVIV STOCK MARKET

DAN GERSTENFELD



SHARES fell across the board in thin trading yesterday following clashes between Palestinians and IDF troops the past few days.

The benchmark Two-Sided Index fell 2.30 percent, or 4.34 points, to 184.28. The Maof index dropped 2.23% to 193.08.

"The events had a very negative impact on investors, and most of them are sitting on the fence," said a trader at Bank Leumi.

The course closed two hours early and will do so throughout the week due to Succot.

"We were expecting a correction following Thursday's sharp

decline, but the market continued to fall. There are rumors that foreign investors started selling today," said Yoram Ben-Yair at Ahayut Investment Management.

Despite declines in the market, Teva Pharmaceutical Industries, the most active share, rose 4.25% to 145.462 on high turnover of NIS13 million.

Other active shares included Elite Industries, which lost 0.75% to 1,241 on a turnover of NIS4.7m, and Koor Industries, which fell 3% to 27,692 on turnover of NIS4m.

(Reuters)

Precious metals futures close mixed

NEW YORK precious metals futures closed mixed on Friday, as precious metals opened lower but pulled away from the lows by mid-morning and held those levels into the close.

December gold closed down 80 cents at \$382.80. December silver closed up 3.5 cents at \$4.92. October platinum closed down \$2 at \$385.80. January platinum closed down \$1.90 at \$388.10. December palladium closed up \$1 at \$120.

High-grade copper futures traded sharply higher on Friday morning, as the copper market was encouraged by the strong drawdown in London Metal Exchange (LME) warehouse stocks. However, by the close of the session, copper futures had moved from their highs, as the market decided that the stock report was not nearly as bullish as it had looked.

Traders decided that the drawdown was a result of producers, who had lent metal to the market at the high prices, withdrawing their copper as prices are now lower and there is the anticipation of more copper coming out the market, said one copper source.

COMEX December high-grade copper futures closed up 80 basis points at \$0.9125. Soy futures closed weaker, as late fund selling in soybeans on Friday took the complex lower. Traders were seen evening up positions ahead of a key Grain Stocks Report due today, which is expected to be bullish.

The markets will also be looking toward the release, this afternoon, of the weekly crop conditions report for indications on how crops fared amid the recent cool, wet weather in the Midwest.

The November soybean contract closed down 7.5 points at \$7.83-1/4 per bushel. Grain futures at the Chicago Board of Trade (CBT) closed mixed, with corn lower and wheat mixed, after a fairly lackluster day, sources said.

Traders are looking to today's grain Stocks Report, although a source said the report isn't as big for corn and beans as it is for wheat. Many analysts agree that the report will show an increase in feed wheat usage because farmers have not been able to afford to feed corn at such high prices, sources said.

December wheat closed up 2.5 at \$4.31-1/2 per bushel, while December corn ended down 2.75 at \$3.03-1/2 per bushel. Cotton futures ended lower on Friday, making new session lows in late activity as the trade sold off on the market's inability to respond to bullish fundamental news. Developing rain in the US Delta states will slow the harvest, and colder temperatures will slow maturation, an analyst said.

The crop in the Southeast states is in good condition, except for North Carolina, which was damaged by hurricane Fran. Cold weather in the Texas growing areas also was expected to be a supportive factor for trade. December cotton futures settled 65 points lower at 76.19.

October world sugar futures settled lower on the day on fund selling, but were still well-supported by commercial trade buying, sources said.

The October sugar futures contract settled 7 points lower at 11.04 cents. The March sugar futures contract settled 16 points lower at 10.67 cents. December coffee futures settled slightly lower on the day on origin selling and trade house scale-down buying, an analyst said.

The December contract settled 45 points lower at \$1.0525. December cocoa futures settled higher after an early fund-buying rally erased the contract's Thursday losses, sources said.

However, cocoa's strength on Friday may have been the result of commercial trade buying and spread activity as the end of the month approaches. The December cocoa futures contract settled \$6 higher at \$1.384.

Courtesy of Michael Zweber, CominStock Trading Ltd.

Iraq's dinar falls, prices soar

BAGHDAD (Reuters) - Iraq's dinar is falling and prices of essential commodities rising, exacerbating life for millions of Iraqis striving to make ends meet under crippling UN trade sanctions.

The dinar yesterday sank to about 1,640 to the US dollar from 1,250 last week.

Traders said the slump was mainly caused by the revival of trade with Kurdish areas and removal of curbs on the circulation of many foreign goods.

German unions ready to battle sick pay cuts

BONN (Reuters) - German trade unions squared up yesterday for a long battle over sick pay cuts imposed by a group of leading companies, a conflict which could threaten the basis of the country's entrenched social partnership.

"The hot autumn has already begun, and I'm afraid it could last a long time," Ursula Engelen-Kerfer, deputy head of the DGB trade union federation, said.

Trade unionists gathered in Stuttgart to mark the centenary of the OeTV public workers union, but were unlikely to heed an appeal there by German President Roman Herzog for moderation.

Herzog, saying Germany must adapt to compete in a global market, called for employers and unions to cooperate "or else our social partnership cannot survive."

Chancellor Helmut Kohl slashed sick pay benefits by 20 percent two weeks ago, under a strategy to boost job creation and cut chronic absenteeism by workers entitled to six weeks full sick pay each year on top of normal holidays.

Under Germany's system of industry-wide pay bargaining, the entitlement cuts would nor-

mally have been thrashed out at the negotiating table.

But auto giant Daimler-Benz AG broke ranks, announcing it would impose the cuts from October 1, even though unions argue that full sick pay is written into their job contracts.

That incensed union leaders, who called on more than 20,000 workers at three Mercedes plants to boycott extra weekend shifts.

Klaus Zwickel, head of the big IG Metall union, branded Daimler managers "class strugglers for capitalism" and warned of further action. He said employers would end up losing out more from output losses than in sick pay savings.

Schrempf defended the move, saying that the cuts in labor-related costs were needed to help defend German jobs and production.

"I call this credible, resolute action. We are fighting for Germany as a place to do business, for jobs and thus for its workers," Schrempf told the Focus news magazine.

Although big companies like Siemens AG have followed suit, others have been more cautious. BMW AG did not implement sick pay

cuts "in the interests of internal company peace," while Volkswagen AG's Audi unit said it would also withhold action.

A survey of over 200 companies by Focus found that just 23% had decided to go ahead straight away with the cuts, while 63% would handle the matter in pay talks.

Germany's opposition Social Democrats (SPD) have hit out at the sick pay cuts as illegal, while the rush to implement them has dismayed even some government members.

Rainer Eppelmann, social affairs spokesman of Kohl's Christian Democrats (CDU), said employers were acting illegally and unfairly by breaking existing pay deals.

"This is almost blackmail. I have the impression this is suicidal, if not kamikaze-like," Eppelmann told ZDF television.

German companies pay a whopping DM60 billion in sick pay each year, and German workers are now more often ill even than in Sweden - formerly Europe's "sickest" country.

But cutting into that feathered welfare state, to get state finances into shape for European monetary union and to reduce near record post-war unemployment, will have a social price.

Multi-sided trading				Two-sided trading			
Name	Price	% Change	Volume	Name	Price	% Change	Volume
Commercial Banks				Afternoon			
Yeda	148.42	-0.1	100	Maof	193.08	-2.23	100
Yan	371.23		100	Two-Sided	184.28	-2.30	100
Industrial				Morning			
Yeda	148.42	-0.1	100	Maof	193.08	-2.23	100
Yan	371.23		100	Two-Sided	184.28	-2.30	100
Mortgage & Finance				Investment Companies			
Yeda	148.42	-0.1	100	Yeda	148.42	-0.1	100
Yan	371.23		100	Yan	371.23		100
Trade & Services				Yan	371.23		100
Yeda	148.42	-0.1	100	Yan	371.23		100
Yan	371.23		100	Yeda	148.42	-0.1	100

US House passes budget accord with Clinton's praise

WASHINGTON (Reuters) - The US House of Representatives late on Saturday easily passed a budget accord reached with the White House that President Bill Clinton hailed as bipartisan progress toward a balanced budget.

The compromise, reached early Saturday, grants the president the extra \$6.5 billion he requested for domestic spending, with \$4b. of that going to education.

The new fiscal year starts tomorrow and without passage of this bill, federal agencies would be forced to close.

The House voted 370-37 for the measure and sent it to the Senate, where a vote was expected late yesterday, just hours before the start of the fiscal year.

In the Senate, Democrats said they were skeptical about what they said was the Republicans' "midnight conversion" to restored domestic spending.

They wanted to comb the as-yet-unprinted bill carefully and could offer amendments during Monday's debate.

Speaking at a political rally in Providence, Rhode Island, Clinton hailed the accord and praised Republicans for working in a bipartisan fashion and urged quick approval.

"It is good for America, because it continues to move us toward a balanced budget while protecting, not violating, our values," he said.

Republican congressional leaders, who last year pushed the government to shut down twice rather than accept the administration's budget, stressed that the bipartisan accord ensured the government would stay open next week.

Senate Minority Leader Tom Dachele, D-South Dakota, said his party would not hold it up unnecessarily.

The massive spending bill provides \$244b. for defense and about \$356b. for domestic programs.

It also includes banking regulatory reform, bolsters savings and loan reserves, sells broadcast airwaves, clamps down on illegal immigration and expands anti-terrorism efforts.

The administration had wanted the extra \$6.5b. granted Clinton's request for \$4b. more for Head Start and other education programs and raises college student Pell grants to the largest amount in history.

It allows \$1.1b. to fight terrorism, \$650m. for fighting fires in Western states, \$400m. to aid in recovery from Hurricane Fran, \$123m. for troop redeployment in Saudi Arabia and \$8.8b. for the war on illegal drugs.

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Hapoel Jerusalem alone at the top

TWO National Basketball League freight trains collided last night in Rishon LeZion in a matchup of the league's top teams, and when the dust had cleared, Hapoel Jerusalem had derailed Maccabi Rishon LeZion, 111-98.

The much heralded match-up between former Maccabi Tel Aviv teammates Doron Jamchev, now of Rishon, and Motti Daniel of Hapoel Jerusalem failed to live up to its billing, but the game didn't sparkle. Hapoel Jerusalem roared back from a 61-50 deficit early in the second half with a 15-2 spurt that blew coach Roni Bosani's team away and left Jerusalem alone atop the league standings with a 4-0 record.

Hapoel Jerusalem 111
Maccabi Rishon 98

After blistering Racing Paris with 56 points in a half last week in Jerusalem, coach Pini Gershon's club went one better at Rishon LeZion (3-1), burning the nets for 61 points in the second half to take over first place in the league.

Things didn't look like they were going to go Jerusalem's way early. Realizing that Jerusalem would expect his club to go inside to center James Gully, Bosani had his team play outside, a move that succeeded in the first half when Alexander Nikolich (20 points) and Moshe Brenner were still hitting.

In fact, the pair was so hot that poor first halves by Jamchev and Darren Daye, both of whom were

also in foul trouble, didn't keep Rishon from leading by as much as 52-37.

However, Gershon encouraged his team to chip away at the lead little by little, and Gordon and teammate Doron Shefa managed to get Jerusalem back to within seven, 57-50, at halftime.

"The only thing we talked about at halftime was defense," Gordon, who had six assists to go with his 28 points, said after the game, and indeed it was improved team defense and better rebounding that helped Jerusalem get back into the game. A basket by Papi Turgean put Jerusalem ahead 67-66 before Nikolich buried a three to swing the lead back to Rishon, and it looked like the see-saw battle would continue.

But poor shot selection by Daye — who was trying to fill the offensive gap left by Jamchev's off night (8 points) — hurt Rishon, as did the tough defense Shefa and then Daniel clamped on Jamchev when the former Maccabi Tel Aviv scoring machine was still in the game. Jamchev ended up watching most of the final minutes from the bench when Bosani went to a quicker line-up.

Meanwhile, Jerusalem was proving a renu of its offensive fireworks vs. Racing Paris, led by Gordon whose three-pointer with just under five minutes left made it 90-82, essentially putting the game out of reach. In the time remaining, Jerusalem could celebrate having established itself as the main threat to Maccabi Tel

ARYEH DEAN COHEN

Aviv this year, and the 1,000 Jerusalem fans who made the trip to Rishon could savor moments like Turgean's behind the back pass to Thompson for a dunk near the end of the game.

Bingheimer had 23 points for Hapoel, while Thompson had 18 and Daniel 11. The victory was an excellent way for Jerusalem to prepare for its upcoming European Cup game tomorrow night in Jerusalem vs. Porto of Portugal.

Maccabi Ramat Gan 78
Ramat Gan's Tony Massop made it interesting in the early going, as Ramat Gan fans entertained thoughts of an upset behind his 17 first-half points, with the home team trailing the champs by only 51-46 at the half.

However, Buck Johnson (26), Randy White (21) and Nadav Heneferd (19) made sure coach Zvi Scherf's club didn't have to suffer any more embarrassing moments like in Thursday night's loss to CSKA Moscow, trampling the upstarts in the second half.

Maccabi may not be altogether ready for Milano, which arrives Thursday night for a Euro League game at Yad Elisha. Both Oded Katash and Doron Sheffer fouled out of the game, with Sheffer scoring just one point in only 15 minutes of play.

Hapoel Eilat 78
Bnei Herzliya 70

Amir Katz finally got his offense going for the southerners as coach Moshe Weinkrantz's club registered an important home victory.

starting point guard job last night, his 13 points and 10 assists leading his team to an important victory over the other newcomer to the National League, Maccabi Ra'anana.

While Ra'anana center Tomer Steinhauer and the rest of his club were struggling, Sharkazi was superb, as was Gerald Paddio (24 points) and Dror Cohen, who scored 16 and totally outplayed Steinhauer underneath.

The matchup between the two teams was close in the early going, but once Givat Shmuel grabbed a 20-point lead shortly after halftime, Ra'anana (1-3) folded, leaving Mickey Berkowitz and Motti Aroesti to celebrate their club's second league victory and its establishment as a force to be reckoned with in the First Division.

Hapoel Tel Aviv 87
Hapoel Holon 84

Coach Meir Kaminsky's club finally got off the schneid with a victory over Holon (2-2), giving it some breathing room at the bottom of the standings in the bid to avoid relegation.

Eilat was clinging to a 38-36 lead early thanks to the fine play of Herzliya foreigners Terrence Stansbury and Todd Mitchell. But a 20-10 spurt by Eilat (2-2) turned the game around, allowing the team to finally coast to an easy win in what has been a difficult season so far. Nana Markovitch added 17 for Eilat, while Stansbury had 21 for Herzliya (0-3), still winless on the year and in danger of flirting with relegation.

M.M. Givat Shmuel 91
Maccabi Ra'anana 75

Sharon Sharkazi of Givat Shmuel (2-2) laid claim to the

starting point guard job last night, his 13 points and 10 assists leading his team to an important victory over the other newcomer to the National League, Maccabi Ra'anana.

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National Basketball League				
Team	W	L	Pts.	Reb.
Hapoel Jerusalem	4	0	8	20
Maccabi Rishon	3	1	7	15
Hapoel Tel Aviv	2	2	6	15
Hapoel Givat Eilat	2	0	6	15
Hapoel Eilat	2	2	6	15
Givat Shmuel	2	2	6	15
Maccabi Ra'anana	1	3	5	11
Hapoel Tel Aviv	1	3	4	11
Maccabi Ramat Gan	1	2	4	11
Hapoel Safed	0	3	2	11
Bnei Herzliya	0	3	2	11

*Herziya has been deducted 1 point

Liverpool moves three points clear

LONDON (AP) — A second half strike by Michael Thomas fired Liverpool three points clear atop the Premier League standings yesterday after a 2-1 victory at West Ham while two goals from Norwegian forward Ole Gunnar Solskjaer gave Manchester United a 2-0 victory over Tottenham.

Liverpool was the first team to reach 20 points for the season by winning at Upton Park and the nearest chaser is Arsenal which has 17 after Saturday's 2-0 victory over Sunderland. Manchester United, unbeaten after four wins and four ties, moved up to third with 16.

Stan Collymore fired Liverpool ahead from Jason McAteer's pass but Croatian international Slaven Bilic scored his first Premier League goal in the 15th minute for the equalizer.

Liverpool goalkeeper David James made a stunning save to keep out a 25-yard shot from Tony Cottee and, a minute later, was beaten by a volley by Julian Dicks which hit the crossbar.

The winner came eight minutes into the second half when Thomas, wide on the right, swapped passes with Steve McManaman and fired an angled shot past Hammers' goalkeeper Luke Miklosko.

West Ham's recently acquired Portuguese international forward Hugo Porfirio, who entered the game as a second half substitute after that goal, looked impressive on his first appearance in English soccer but unbeaten Liverpool held on for its sixth victory in eight games.

At Old Trafford, Spurs goal-

keeper Ian Walker made a spectacular, one-handed, diving save to keep out a powerful left-footed drive from Nicky Butt after 15 minutes.

But he was beaten in the 39th minute when Solskjaer expertly controlled a long pass from the left wing by Ryan Giggs and, under pressure from Spurs defender Sol Campbell, fired the ball home from 10 yards.

Solskjaer's second in the 57th minute came after a slick move involving Jordi Cruyff, Eric Cantona and Butt, who opened up the Spurs defense and gave the Norwegian plenty of room and time to curl a shot past Walker.

Spurs were convinced they had scored before United's two goals when David Howells shot home from 15 yards. But the referee ruled he had controlled the ball with his arm and he even wound up with a yellow card.

YESTERDAY'S RESULTS:
Premier League: Manchester United 2, Tottenham 0; West Ham 1, Liverpool 2; Division One - Port Vale 1, Bradford 1.

PREMIER LEAGUE										
Team	GP	W	D	L	GF	GA	Pts	Reb.	Assists	Goals
Liverpool	8	6	2	0	17	8	20	15	10	17
Arsenal	8	5	2	1	17	8	17	15	10	17
Man Utd	8	4	4	0	12	6	16	15	10	17
Wimbledon	8	5	0	3	12	7	15	15	10	17
Newcastle	7	5	0	2	10	7	15	15	10	17
Chelsea	8	3	4	1	11	10	13	15	10	17
Sheff. Wed.	8	4	1	3	9	11	13	15	10	17
Aston Villa	7	3	3	1	8	5	12	15	10	17
Middles.	8	3	2	3	14	13	11	15	10	17
Leicester	8	3	2	3	6	9	11	15	10	17
Derby	8	2	4	2	6	10	10	15	10	17
Sunderland	8	2	3	3	8	6	9	15	10	17
Everton	8	2	3	3	8	10	9	15	10	17
Tottenham	8	2	2	4	7	12	8	15	10	17
West Ham	8	2	2	4	7	12	8	15	10	17
Not. Forest	8	1	4	3	9	14	7	15	10	17
Leeds	8	2	1	5	6	13	7	15	10	17
Southampton	8	1	2	5	10	12	5	15	10	17
Coventry	8	0	3	5	5	11	3	15	10	17
Blackburn	8	0	3	5	5	11	3	15	10	17

Orioles clinch wild card on Alomar homer

TORONTO — Roberto Alomar, playing while appealing a five-game suspension, hit a two-out solo homer in the top of the 10th inning as the Baltimore Orioles claimed the American League wild card with a 3-2 victory over the Toronto Blue Jays Saturday.

The Orioles secured their first post-season berth since 1983, when they won the World Series against the Phillies.

"I can appreciate it more now having gone through years of rebuilding, but this is just the first step," said Orioles shortstop Cal Ripken. "The playoffs is what we are all here for."

Baltimore will host the first two games of the best-of-five division series against the Cleveland Indians starting tomorrow.

Alomar, ejected Friday by umpire John Hirschbeck for arguing balls and strikes, bumped and spit on the ump. Afterwards, Alomar said Hirschbeck has become "more bitter" because of personal problems, including the death of a son.

Hirschbeck ran into the Orioles' locker room Saturday after learning of Alomar's remarks, yelling at the Baltimore second baseman before being led away by a fellow umpire. He did not work the game, which was played with three umpires.

Randy Myers (4-4) got the final five outs to get the win while Paul Spoljaric (2-2), who surrendered the homer to Alomar, took the loss.

Toronto's Ed Sprague homered with one out in the top of the ninth inning to tie the score at 2-2.

Indians 5, Royals 4

Albert Belle hit his 48th homer and Kevin Seitzer went 4-for-4, giving the visiting Indians a chance to become the first team with consecutive 100-win seasons since Baltimore in 1979 and '80.

Belle has 148 RBIs, the most in the majors since George Foster had 149 for Cincinnati in 1977 and the most in the AL since Ted Williams and Vern Stephens each had 159 for the 1949 Boston Red Sox.

NATIONAL LEAGUE
Padres 4, Dodgers 2

The San Diego Padres sent the National League West down to the final day and clinched their first playoff spot in 12 years.

Tony Gwynn's two-out, bases-loaded single broke a tie in the eighth inning, giving the Padres the victory and leaving the teams tied.

Last night's winner will play NL Central champion St. Louis in the first round of the playoffs. The loser becomes the wild card and faces the World Series champion Atlanta Braves.

San Diego's win eliminated Montreal from the wild-card race.

Gwynn, who played for the Padres in 1984 when they last appeared in the postseason, snapped a 2-2 tie with his single off Mark Guthrie. Gwynn went 2-for-5, raising his average to .356 and that should earn him his seventh batting title.

Tim Lincecum (9-7) pitched two scoreless innings as he won for the second time in as many days.



WAY TO GO, 'BRO — Cal Ripken and Roberto Alomar congratulate each other after the O's won the wild card spot.

AMERICAN LEAGUE					NATIONAL LEAGUE				
East Division					East Division				
Team	W	L	Pct.	GB	Team	W	L	Pct.	GB
x-New York	82	69	.571	-	x-Atlanta	98	65	.598	-
x-Baltimore	88	73	.547	4	Montreal	87	74	.540	8
Boston	84	77	.522	8	Florida	80	81	.497	16
Toronto	73	88	.453	19	New York	71	90	.441	25
Detroit	53	108	.329	39	Philadelphia	66	95	.410	30
Central Division					Central Division				
x-Chicago	99	61	.619	-	x-St. Louis	88	73	.548	-
Chicago	85	76	.528	14	Houston	81	80	.503	7
Milwaukee	79	82	.491	20	Cincinnati	80	81	.497	8
Minnesota	77	84	.478	22	Chicago	78	85	.472	12
Kansas City	74	86	.463	25	Pittsburgh	72	89	.447	16
West Division					West Division				
x-Texas	88	72	.553	-	y-Los Angeles	90	71	.559	-
Seattle	85	75	.531	3	y-San Diego	90	71	.559	-
Oakland	77	84	.478	12	Colorado	82	79	.509	8
California	70	90	.437	18	San Francisco	68	93	.422	22

x-clinched division title
y-clinched playoff berth

Israel begins preparations for World Cup qualifier

ORI LEWIS

THE Israel national soccer squad reconvenes for training today for the World Cup qualifier against Russia on October 9.

There is only one change from the original squad chosen by coach Shlomo Scharf for the game against Bulgaria earlier this month: Maccabi Tel Aviv's Alon Brumer is left out of the 18-man squad through injury, his replacement being Ofer Talker of Hapoel Haifa.

The squad will train throughout the week, with Ronnie Rosenthal joining training on Thursday and Haim Revivo arriving only for the final preparations for the game, which is to be held at the National Stadium, Ramat Gan a week from Wednesday.

The third Israeli in Europe, Eyal Berkowitz, will be available for the whole training squad as he is currently in the country awaiting his British work permit before he can join Southampton.

Skate Israel '96 ends in style

HEATHER CHAIT

SKATE Israel 1996 ended with a gala display yesterday at the Canada Center in Metula, with over 70 skaters competing. The women's final was won by Ilena Ivanova from Russia followed by Julia Vartolova from Azerbaijan and Ilena Leashanko from the Ukraine placed third.

The men's title went to Igor Pachkevitch from Azerbaijan with Dmitri Dmitrenko from the Ukraine placing second and Sergei Davydov from Russia third.

Israel's Kfir Natan finished in ninth place while Olympic skater Mishla Shmerkin did not compete.

Ukraine's Evgeniy Filonenko and Igor Marchenko won the pair's competition beating Marina Khalurina and Andrei Kroukov from Kazakhstan.

SCOREBOARD

NFL — Early results yesterday: Jacksonville 24, Carolina 14; Denver 14, Cincinnati 10; Detroit 27, Tampa Bay 6; Pittsburgh 30, Houston 16; NY Giants 15, Minnesota 10; Baltimore 17, New Orleans 10; Chicago 19, Oakland 17.

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IDF soldier wounded in security zone

Friendly-fire inquiry completed

DAVID RUDGE

AN IDF soldier was lightly wounded in a Hizbullah attack on a position in the northeastern sector of the security zone yesterday evening.

Gunmen opened fire at the post, in the Rehav area, with mortars and light weapons, sparking a lengthy exchange as IDF and South Lebanese Army gunners returned fire.

The soldier was evacuated to Safed's Rebecca Sieff Hospital. Gunmen also fired several mortars at an SLA post in the Talouza region, in the central sector of the zone, around the same time. There were no casualties in that incident and IDF and SLA gunners returned fire.

Meanwhile, OC Northern Command Maj.-Gen. Amiram Levine has completed inquiries into a shooting incident on Saturday in which a Lebanese civilian was killed and an IDF soldier badly wounded in what turned out to be a case of mistaken identity.

The incident occurred in the Beit Leif area in the western sector of the zone when Givati Brigade troops on operational

duties spotted a group of people carrying weapons.

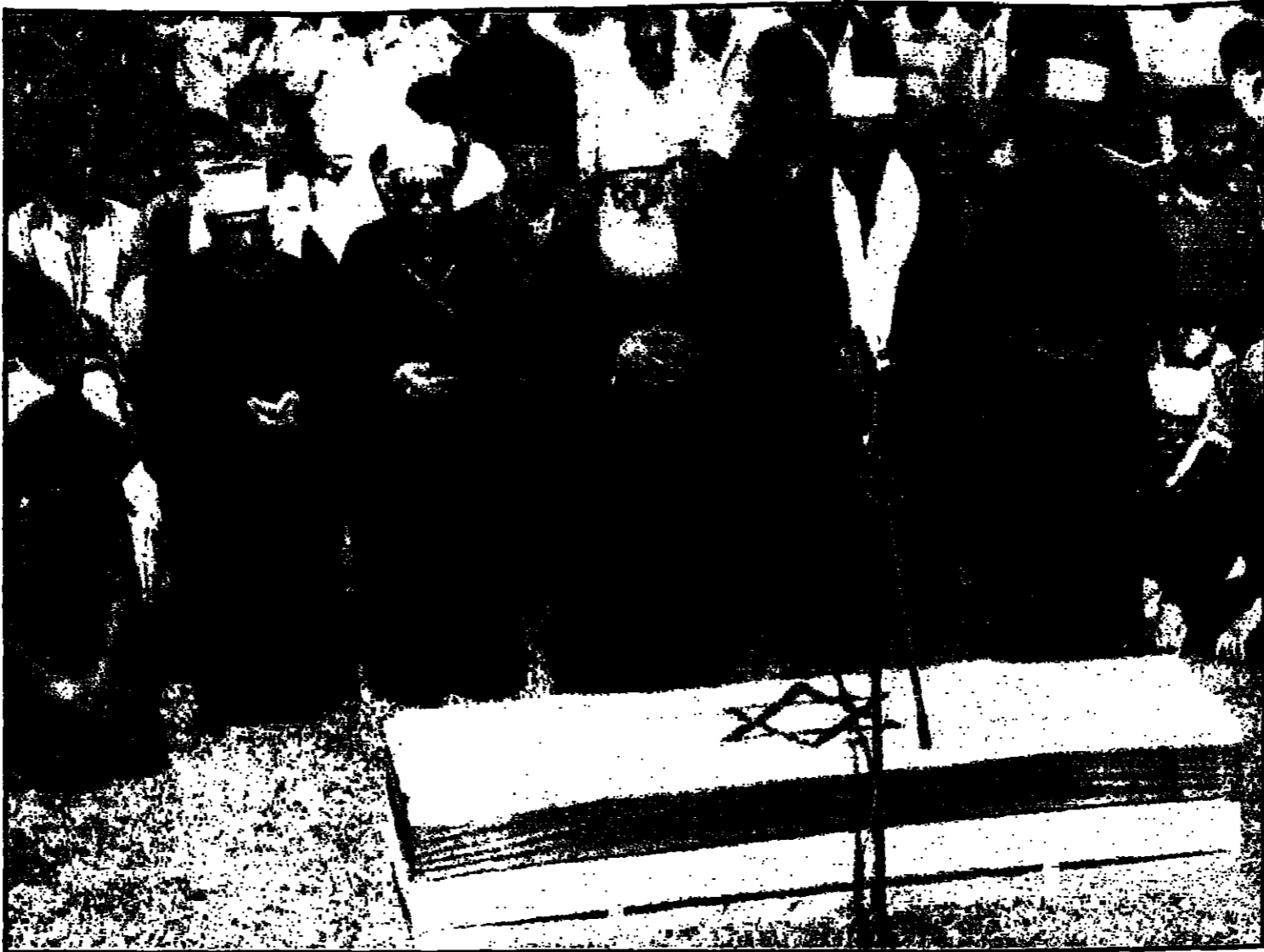
The soldiers, knowing movement in the area in question was prohibited, opened fire at what they assumed was a squad of terrorists.

The armed group returned fire resulting in the casualties. It transpired that the group consisted of a number of off-duty SLA soldiers and south Lebanese residents who were on a hunting expedition.

The inquiry found that the calculations of the lieutenant in command of the Givati unit in deciding to open fire were correct and complied with procedures, especially since he saw one man armed with a Kalashnikov rifle and equipped with battle pouches.

The inquiry also found that the group of hunters was led by an off-duty SLA officer who knew that the area was out of bounds.

SLA commander Gen. Antoine Lahad and the SLA Brigade commander in the region will take the necessary disciplinary measures against the officer who led the hunting party.



Druse mourners pay their final respects to Col. Nabih Mari, who was buried in his home village of Hurfeish yesterday. (Reuters)

20,000 attend funeral of Druse officer

DAVID RUDGE and Itim

HURFEISH, a small Druse village in the Galilee, was in mourning yesterday as one of its leading sons, Col. Nabih Mari, was laid to rest.

An estimated 20,000 people, including Druse from throughout the country and a contingent from south Lebanon, attended the funeral of the deputy Gaza division commander who was killed in a clash with Palestinians near Rafiah on Friday.

The mourners were joined by Defense Minister Yitzhak Mordechai, Chief of General Staff Lt.-Gen. Arnon Lipkin-Shahak, and his deputy, Maj.-Gen. Matan Vilna'i, senior IDF commanders past and present, soldiers who served with and under Mari, and South Lebanese Army commander Gen. Antoine Lahad.

Hundreds of Jews and Arabs who knew Mari, the highest ranking Druse to fall in the line of duty, also participated in the funeral.

Mari, 42, who began his army career in the

Paratroop Brigade, was admired and respected by comrades and foes alike and had a reputation for being firm but fair - an outstanding fighter and an excellent commander.

He was killed while returning fire from a machine gun when the IDF post he was visiting on the Egyptian border suddenly came under fire.

Comrades said it was typical of Mari that he was the first to return fire.

Friends and relatives said Mari, who was considered to be in line for promotion, was also a warm and kind person whose home was always open.

"He was a man, a commander, a father, a modest man who helped everybody in the village and others Druse villages in the Galilee. They all came to him for help, including many

Jewish families and soldiers came to his home on Saturdays and holidays. His home was also open to all. He always helped and never said know," said a relative in the village yesterday.

Guy Sarig, 23, killed in the attack on the Border Police base at Tulkarm on Friday, was buried yesterday at Moshav Hibat Zion. Friends, family, Internal Security Minister Avigdor Kahalani, Inspector-General Assaf Hefetz, and Border Police commander Yisrael Sadan attended the funeral, where Sarig was promoted posthumously to superintendent.

"We are facing a difficult situation with many questions. I also ask myself if we are headed in the right direction - if we know what we are doing. After the recent incidents, I have doubts whether we have established a neighborly and cooperative relationship with the Palestinians," Kahalani said.

Third Way wants final-status talks immediately

LIAT COLLINS

THE Third Way executive yesterday demanded that the government immediately start final-status negotiations with the Palestinians, while drawing the necessary conclusions from the recent disturbances.

Following a special meeting, the Third Way issued a statement which also condemned the opposition for placing the blame for the situation on the government, particularly in light of the Palestinian use of weapons against soldiers. However, it also rejected calls from the coalition for the IDF to return to towns under Palestinian Authority control.

"Separation from the Palestinians and leaving these towns is obviously in Israel's

interest," the party statement said. It called for restraint from both opposition and coalition to avoid further splitting the public.

At a meeting of Labor MKs, Yossi Beilin promised the party would support the government if it promised to continue with the peace process regardless of the dissent from some cabinet members.

Several MKs called for parliamentary or state inquiries into the rioting. Meretz leader Yossi Sarid and Labor MKs Ofir Pines and Dalia Itzik called for inquiries into the chain of events and decisions preceding the disturbances.

Deputy Education Minister Moshe Peled (Tsimet) called for a state inquiry into the decision to arm the Palestinian Police.

MK Moshe Shahal (Labor) submitted a private member's bill which would amend the Basic Law: The Government to allow for a no-confidence motion in the prime minister, without necessarily involving the whole Knesset in a new round of elections.

Ben-Yair decides not to indict Shaki

EVELYN GORDON

ATTORNEY-GENERAL Michael Ben-Yair has decided not to indict MK Avner Shaki (National Religious Party) - despite a High Court of Justice ruling that he should - because the statute of limitations on Shaki's alleged crime has since expired.

The case involved three allocations made in 1990 by the ministerial committee on bequests, of which Shaki, then religious affairs minister, was a member. He recommended allocations totaling NIS 820,000 to three institutions run by family members and political cronies, without even informing the committee of his connection, much less disqualifying himself from the decisions.

Ben-Yair had originally decided there was no public interest in indicting Shaki. Last month, however, in response to several petitions

against this decision, the High Court of Justice ruled that Shaki should be indicted for fraud and breach of trust, unless Shaki could convince Ben-Yair in a hearing that the evidence against him was invalid. The fact that the crime was committed by a public figure, the court said, was enough in and of itself to create a public interest in prosecution.

Ben-Yair duly held the hearing, but then decided he could not prosecute anyway, because the statute of limitations had expired.

The statute of limitations for a misdemeanor is five years. By law, only three things can stop the clock: A criminal investigation, an indictment, or "proceedings before the court."

Ben-Yair argued that Shaki's

investigation ended on June 20, 1991, when the last piece of evidence was collected. It is also possible to say that the investigation ended at a later date, when the police transferred the file to the State Attorney's Office with its recommendation, but Ben-Yair argued that the first interpretation is preferable - both because it provides a clearer cut-off point, and because it provides a clear distinction between the process of collecting the evidence and the process of weighing it.

Under this interpretation, the statute of limitations in Shaki's case expired on June 20, 1996, or some 50 days before the High Court even issued its verdict, unless the court case itself stopped the clock. Ben-Yair argued that it

did not. The words "proceedings before the court," he said, refer only to proceedings which are part of the actual criminal trial once the indictment has been filed. This, he argued, is clear both from context - the progression from investigation to indictment to court proceedings indicates that this is all part of one process - and from the language of the law: Had it meant any court proceeding, it would have referred to proceedings before a court rather than the court.

Furthermore, he said, the one thing which legally does not stop the clock from running is the time the attorney-general spends considering the file. Since the High Court case was attacking the attorney-general's decision not to indict, it should logically be classified as part of this process.

Olmert asks High Court to block indictment

EVELYN GORDON

JERUSALEM Mayor Ehud Olmert yesterday asked the High Court of Justice to order Attorney-General Michael Ben-Yair not to indict him.

Ben-Yair recently decided to indict Olmert on charges of aggravated fraud, falsifying corporate documents, tax code violations, and violating the Party Funding Law, for a fund-raising scam run by the Likud in 1988, when he was party treasurer. The Knesset is to begin discussing the lifting of Olmert's immunity when it reconvenes after Succot.

In the petition, however, attorney Yigal Arnon argued that there is no legal basis for the indictment, and that Ben-Yair therefore has no right to submit it.

The petition noted that in 1991, after a two-year investigation into the affair, the State Attorney's Office indicted eight people, but decided it did not have enough evidence to indict Olmert. In

1993, and again in 1994, the office reiterated in writing that it lacked enough evidence to indict Olmert. Since then, Arnon said, the police have collected no additional evidence or testimony.

The only new "evidence," Arnon said, is the testimony in court of two of the eight people who were indicted. However, he argued, this is not sufficient to justify an indictment against Olmert, for several reasons.

First, he noted, only two of the 110 witnesses in this trial - Olmert's co-treasurer, Menahem Atzmon, and Yona Peled, the head of an organization which raised funds for the party and the one who actually carried out the scam - accused Olmert of involvement. These two, being the defendants, had an obvious vested interest in trying to shift the blame. Arnon argued. Furthermore, he said,

though the two accused Olmert during the trial, they had not done so in any of their statements to the police.

On top of this, Arnon said, the prosecution itself, in the written summary statement it submitted at the end of the trial, said the two men had given false testimony with respect to Olmert, and the Tel Aviv District Court agreed with this conclusion in its verdict. One can hardly indict someone on the basis of testimony which neither the prosecution nor the court believes, Arnon argued - especially two and a half years after it was given.

Arnon charged that the State Attorney's Office was still opposed to indicting Olmert, and that Ben-Yair decided to go ahead with the indictment against the office's recommendation. However, he declined to say why he believed Ben-Yair had insisted on proceeding with the allegedly baseless indictment.

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Forecast: Partly cloudy to clear. Slight rise in temperatures.

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	C	F	F	W
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Berlin	08	46	16	61
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Caro	18	64	23	82
Chicago	10	49	16	61
Copenhagen	10	49	16	61
Frankfurt	09	48	17	63
Geneva	07	45	13	55
Helsinki	07	45	13	55
Hong Kong	24	75	29	84
Jakarta	07	45	28	82
London	10	50	17	63
Los Angeles	17	63	29	84
Madrid	14	57	18	64
Moscow	17	63	23	73
Montreal	09	48	21	70
Manila	26	79	27	81
New York	16	61	24	75
Paris	11	52	21	70
Rome	9	48	36	75
Stockholm	08	46	12	54
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Tokyo	18	64	23	73
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Winning cards

In yesterday's daily Chance drawing, the winning cards were the nine of spades, the 10 of hearts, the 10 of diamonds and the ace of clubs.

Report: Arad alive in Lebanon

BONN (Reuters) - Missing airman Ron Arad, shot down over Lebanon 10 years ago, is still alive and being held by Islamic militants as a bargaining chip, the German weekly Focus reported at the weekend.

The magazine sourced the report to a dossier allegedly passed to Western security services by the Mossad. It said Israel believed Arad had been held for a long time in the Lebanese village of Nabi Sheet in the home of Hussein Mousavi, leader of the Lebanese Islamic Amal movement.

According to the report, Hizbullah telephoned a French news agency last April to say Arad was going to be executed in retaliation for Israeli air strikes against south Lebanon.

But Abdel Saheb Mousavi, commander of the Iranian Pasdaran Revolutionary guards in Lebanon, allegedly vetoed the execution because Arad was such a valuable bargaining chip. Two weeks later, Arad was moved to an unknown location, the report said.

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